The Ombudsman, Hong Kong
香 港 申 訴 專 員

2022/23
Annual Report 年報



POSITIVE COMPLAINT CULTURE FOR BETTER ADMINISTRATION
正 面 看 投 訴 共 建 好 制 度

本年度主要統計數字

KEY FIGURES OF THE YEAR



接到的投訴
Complaints received

5,357

77.5%
透過電子方式／傳真
by **electronic means/fax**

11%
透過郵件
by **post**

8.4%
親臨本署
in **person**

3.1%
致電本署
by **phone**

已完成的投訴個案
Complaints completed

5,323

2,765
經評審並終結
Closed after **assessment**

2,112
經查訊後終結
Concluded by **inquiry**

141
經全面調查後終結
Concluded by **full investigation**

305
經調解後終結
Resolved by **mediation**

投訴個案因本署職權範圍所限
經初步評審後於**15個工作天**內終結
Complaints closed within **15 working days**
after initial assessment due to
jurisdictional restrictions

目標 Target: 99%

100%

個案於**3個月**內終結
Complaints concluded within **3 months**

目標 Target: 80%

86.8%

個案於**6個月**內終結
Complaints concluded within **6 months**

目標 Target: 99%

99.4%

已完成的**主動調查**
Direct Investigations
completed

9

71

已完成的與
公開資料有關的個案
Cases related to
access to information
completed

提出的**建議**
Recommendations
given

211

接到的**查詢**
Enquiries received

9,279

理想
VISION

確保香港的公共行政公平和有效率，兼且問責開明，服務優良。

To ensure that Hong Kong is served by a fair and efficient public administration which is committed to accountability, openness and quality of service

使命
MISSION

透過獨立、客觀及公正的調查，處理及解決因公營機構行政失當而引起的不滿和問題，以及提高公共行政的質素和水平，並促進行政公平。

Through independent, objective and impartial investigation, to redress grievances and address issues arising from maladministration in the public sector and bring about improvement in the quality and standard of and promote fairness in public administration

信念
VALUES

- 以公正客觀的態度進行調查
- 勇於承擔責任，為市民和在本署職權管轄範圍內的機構提供便捷的服務
- 對市民和機構尊重有禮
- 維持專業水平，切實履行本署各項職能

- Maintaining impartiality and objectivity in our investigations
- Making ourselves accessible and accountable to the public and organisations under our jurisdiction
- According the public and organisations courtesy and respect
- Upholding professionalism in the performance of our functions

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大事紀要
History in Brief

1988

7月20日
立法局通過《行政事務申訴專員條例草案》

20 July
The Commissioner for Administrative Complaints ("COMAC") Bill was passed by the Legislative Council ("LegCo")

1989



第一任行政事務申訴專員
賈施雅先生，JP
First Commissioner
Mr Arthur Garcia, JP

2月1日
- 制定《行政事務申訴專員條例》
- 第一任行政事務申訴專員賈施雅先生，JP履新

1 February
- The COMAC Ordinance was enacted
- First Commissioner Mr Arthur Garcia, JP assumed office

3月1日
行政事務申訴專員公署正式運作，政府借調公務員到本署任職

1 March
The Office of COMAC became operational with staff seconded from Government

1993

7月21日
完成有關的法例檢討，《行政事務申訴專員（修訂）條例草案》提交立法局審議

21 July
Legislative review completed, the COMAC (Amendment) Bill was introduced into LegCo



第二任行政事務申訴專員
蘇國榮先生，SBS, OBE, JP
Second Commissioner
Mr Andrew So, SBS, OBE, JP

1994

2月1日
第二任行政事務申訴專員蘇國榮先生，SBS, OBE, JP履新

1 February
Second Commissioner Mr Andrew So, SBS, OBE, JP assumed office

6月24日
《行政事務申訴專員條例》的修訂獲通過：
- 讓市民可以直接向專員提出投訴，無須經由立法局議員轉介
- 把一些主要的法定組織納入職權範圍
- 授權專員以不披露個案所涉人士身份的方式公布調查報告
- 授權專員展開主動調查

24 June
The COMAC Ordinance was amended:
- to enable the public to lodge complaints directly, instead of by referral from LegCo Members
- to extend the jurisdiction to some major statutory bodies
- to empower the Commissioner to publish anonymised investigation reports
- to empower the Commissioner to initiate direct investigation

6月30日
委任顧問，向本署提供專業意見

30 June
Advisers were appointed to provide expert advice and professional opinion

7月1日
「行政事務申訴專員」及「行政事務申訴專員公署」的中文名稱分別改為「申訴專員」及「申訴專員公署」

1 July
Chinese title of the Commissioner was changed to 「申訴專員」 and the Office to 「申訴專員公署」

1995

3月1日
擴大職權範圍，讓申訴專員可以就涉嫌違反《公開資料守則》的投訴展開調查

1 March
Jurisdiction was extended to investigation into alleged breach of Code on Access to Information

1996

3月1日
邀請非官守太平紳士參加「太平紳士協助推廣計劃」

1 March
Non-official Justices of the Peace ("JPs") were enlisted in a JPs Assistance Scheme

12月27日
「申訴專員」及「申訴專員公署」的英文名稱分別改為「The Ombudsman」及「Office of The Ombudsman」

27 December
English titles were changed to "The Ombudsman" and "Office of The Ombudsman"

1997

4月1日
推出調解服務，作為另類排解糾紛的方法

1 April
Mediation service was launched as an alternative dispute resolution method

7月25日
設立申訴專員嘉許獎，表揚以正面和積極的態度處理投訴的公營機構

25 July
The Ombudsman's Awards were introduced to acknowledge public organisations handling complaints positively

1999

4月1日
第三任申訴專員戴婉瑩女士，GBS, OBE, JP履新

1 April
Third Ombudsman Ms Alice Tai, GBS, OBE, JP assumed office

7月22日
擴大申訴專員嘉許獎計劃，增設獎項，以表揚在提高服務質素方面有出色表現的公職人員

22 July
The Ombudsman's Awards were extended to acknowledge public officers' contribution towards better quality services



第三任申訴專員
戴婉瑩女士，GBS, OBE, JP
Third Ombudsman
Ms Alice Tai, GBS, OBE, JP

2001

3月28日
推出電話投訴服務

28 March
Telephone complaint service was introduced

12月19日
《2001年申訴專員（修訂）條例》生效：

- 確立申訴專員為單一法團，可全權處理本身的財務及行政事宜
- 授權申訴專員訂定屬下人員的聘用條款及條件
- 採納有別於政府的制度和運作程序

19 December
The Ombudsman (Amendment) Ordinance 2001 came into operation:

- to establish The Ombudsman as a corporation sole with full powers to conduct financial and administrative matters
- to empower The Ombudsman to set terms and conditions of appointment for staff
- to adopt systems and processes separate from Government

2002

9月6日
遷到位於上環信德中心的永久辦公地方

6 September
Office moved to permanent accommodation at Shun Tak Centre in Sheung Wan



上環信德中心
Shun Tak Centre

2004

4月1日
戴婉瑩女士，GBS, OBE, JP連任申訴專員，開始新的五年任期（2004至2009年）

1 April
Ms Alice Tai, GBS, OBE, JP started her second term (2004 – 2009) as The Ombudsman

2005

10月24日
行政署長與申訴專員簽署行政安排備忘錄，訂明規管本署各項行政安排，以及本署與政府的工作關係的一般準則和指引

24 October
A "Memorandum of Administrative Arrangements" ("MAA") was signed between the Director of Administration and The Ombudsman to set out the general principles and guidelines governing the administrative arrangements for this Office and working relationship with Government



簽署行政安排備忘錄
Signing of MAA

2009

4月1日
第四任申訴專員
黎年先生，GBS, JP履新

1 April
Fourth Ombudsman
Mr Alan Lai Nin, GBS, JP
assumed office



第四任申訴專員
黎年先生，GBS, JP
Fourth Ombudsman
Mr Alan Lai Nin, GBS, JP



第五任申訴專員
劉燕卿女士，SBS, JP
Fifth Ombudsman
Ms Connie Lau, SBS, JP

2014

4月1日
第五任申訴專員
劉燕卿女士，SBS, JP履新

1 April
Fifth Ombudsman
Ms Connie Lau, SBS, JP
assumed Office



第六任申訴專員
趙慧賢女士，PDSM, PMSM
Sixth Ombudsman
Ms Winnie Chiu, PDSM, PMSM

2019

4月1日
第六任申訴專員
趙慧賢女士，PDSM, PMSM履新

1 April
Sixth Ombudsman
Ms Winnie Chiu, PDSM, PMSM
assumed Office

申訴專員緒言
The Ombudsman's Review



2019冠狀病毒病疫情從高峰回落，為防疫抗疫措施的陸續解除掀開序幕。新一屆政府勾劃出公共服務復常和經濟重拾活力的軌跡。過去一年，憑藉公署上下努力不懈，我們為市民提供了從無間斷的服務。在年內我們接到5,357宗投訴，完成了5,323宗個案，並達到服務承諾下的各項指標。

The COVID-19 pandemic has spiked and receded, rendering gradual lifting of pandemic-related restrictions possible. The new term Government plotted a trajectory allowing public services and economic activities to revive and thrive. In the year, my Office has maintained uninterrupted public access to our services – thanks to our dedicated staff. We have met all targets of performance as pledged, out of 5,357 complaints received and 5,323 complaints concluded in the year.

在疫情回落前，香港遭遇了第五波疫情，面對前所未有的重擊，政府須持續調整抗疫措施，亦因而觸發了林林總總的投訴。課題遍及疫苗接種、病毒檢測、檢疫和隔離安排，以至各項緩解措施。投訴事項包括當局簽發命令或發放津貼出錯及延誤、提供的資料欠詳盡及溝通不足、訂立不合理的限制、防疫設施和外勤行動管理不善等。此外，亦有投訴是源於當局在疫情期間，中斷某些公共服務的特別安排。不少投訴是有關當局未有回覆、行動延誤、訊息混亂及服務水平下降。上一期年報已提到市民在前幾波疫情，投訴政府部門回應緩慢、安排混亂、欠缺規劃、協調和溝通不足。大眾均期望政府已從前幾波疫情汲取經驗，難免會對這些問題包容度下降，加上對復常的渴求，市民的耐性更形消耗殆盡。更多人會因而選擇向公署申訴不滿，令年

Before the pandemic subsided, Hong Kong was hit by a fifth wave, the worst so far. The Government has to constantly adjust its measures to combat the pandemic triggering complaints touching on a wide range of subjects such as vaccination and testing, quarantine and isolation as well as various relief schemes. The allegations included errors and delays in orders issued or funds released, inadequate information and communication, irrational restrictions, poor management of facilities and field operations. There were also complaints arising from disruption of public services caused by special arrangements during the pandemic. Lack of replies, delay in action, confusing messages and drop in service quality were common contentions. As pointed out by my report last year, people were then complaining about slow response, confusion, lack of planning, coordination and communication in the earlier waves. Tolerance of the public

度內接到與疫情有關的投訴從去年的206宗飆升至766宗。本年報已收錄了部分個案，稍後會有更多已完成的個案上載到公署網頁。

seemed to have dwindled as people expected government to have learned from experience. Moreover, patience has worn out as people yearned for return to normality. Consequently, more have taken their grievances to our Office and pandemic-related complaints have seen a hike, from 206 last year to 766 this year. This report contains a sample of the cases we handled and more will be uploaded to our website as they are completed.

我們繼續努力以調解方式解決涉及輕微行政失當的投訴，而調解特別適用於某類由疫情觸發的個案。年內，我們成功調解的個案為305宗，刷新歷來記錄。與此同時，我們亦不遺餘力對合適的個案展開全面調查，終結的個案數目較去年增加53%，至共141宗。連同已完成的九項主動調查，公署提出了共211項改善建議，藉以改善行政公平和效率，以及設法解決行政體制上的流弊。我們的工作不會隨着完成調查而止息，而是持續監察有關部門如何落實建議，以至取得實質改善。

We continue to endeavour to resolve complaints of minor maladministration through mediation, which is particularly suitable for certain pandemic-related cases. We have successfully mediated 305 complaints, which is a record high. Meanwhile, our Office has spared no effort in probing complaints where warranted by launching full investigations, and has concluded 141 cases, 53% up from last year. Coupled with the nine direct investigations completed, we have made a total of 211 recommendations in a bid to improve administrative fairness and efficiency, and to address systemic flaws. Our work does not end with completion of an investigation. Where recommendations are made, we monitor implementation by the departments concerned so that substantive improvement will be achieved.

> 公署作為獨立法定機構，一向不偏不倚、客觀地處理投訴，而我們的調查結果完全是建基於事實。
>
> As an independent statutory organisation, our Office has been handling complaints objectively and impartially, and our findings are entirely evidence-based.

至於涉及《公開資料守則》（「《守則》」）的投訴，公署會擔當獨立仲裁員的角色，判斷部門有否按照《守則》處理索取資料的要求。與公開資料有關的投訴於2020/21年度到達高峰，之後回落至本年度錄得67宗相對低的水平。儘管索取資料要求按年增加，但根據政府統計數字，截至2022年第二季度，政府部門及公營機構因應要求而披露所有或部分資料的個案達96.9%，拒絕披露資料的個案則一直只佔少數。事實上，只有小部分申請人在索取資料要求被拒絕後向公署投訴。由此可合理推斷，政府決策局及部門對《守則》的應用已更為嫻熟。當然，維持資訊透明是開明、問責和公平的公共行政的重要元素。

For complaints involving the Code on Access to Information, the role of our Office is an independent adjudicator on whether a department has acted in compliance with the Code in handling requests for information. This year, complaints related to access to information amounted to 67, a relatively low figure since the spike in 2020/21. Government statistics show that compliance by full or partial disclosure of information up to the second quarter of 2022 is 96.9% with refused requests staying at relatively low levels, despite the year-on-year increases in information requests. In fact, only a small portion of refused requests have ended up as complaints to our Office. A reasonable inference is Government bureaux/departments have become more conversant with the application of the Code. Needless to say, transparency of information is fundamental to an accountable, open and fair public administration.

公眾對於能推出果斷措施的新政府，自然翹首以待。政府當局決心要解決老、大、難的問題，同時又強調以結果為目標，自然會提高市民的期望，且成為部分投訴人要求更優質公共服務的憑據。我們在調查時，留意到政府的努力已漸見成果，例如在打擊阻街及店舖擴展營業範圍等方面的成效，實在令人欣慰。我們亦樂見公署在主動調查提出的建議，部分已納入政府的策略中。

It is understandable that a new Government with bold initiatives would heighten public expectation. A pronounced commitment to tackle long-standing, big and difficult problems and an emphasis on results have raised the bar and have been cited by some complainants in their demand for better quality in public services. It is heartening to note from our investigations that the Government's endeavours in this regard are starting to bear fruit in some areas such as street obstruction and shopfront extension. It is also encouraging that some of our recommendations in direct investigations have materialised into the Government strategies.

我必須一再強調，公署作為獨立法定機構，一向不偏不倚、客觀地處理投訴，而我們的調查結果完全是建基於事實。儘管如此，仍會有投訴人不滿調查結果，要求公署重新評審或覆核其個案。投訴人亦可能會循法律途徑挑戰調查結果。在本年度，公署重新評審及覆核的個案進一步下調至283和103宗，就調查結果或公署處理投訴的程序提出的司法覆核申請則有兩宗。此外，我們間或收到市民對公署職員的投訴。公署上下一直秉持最高的專業精神，正如公署的宣傳口號 — 正面看投訴、共建好制度。我們重視每個由市民提出，可提升服務質量的機會。

I cannot stress enough that as an independent statutory organisation, our Office has been handling complaints objectively and impartially, and our findings are entirely evidence-based. This notwithstanding, complainants may remain dissatisfied with our findings, and resort to re-assessment or review depending on the circumstance. They may also challenge my decisions by legal means. In the year, re-assessments and reviews have further declined to 283 and 103 respectively, while two applications for judicial review against my decision or the procedure of complaint handling have been recorded. At times, there are also complaints against our staff. Whilst upholding the highest standard of professionalism, we cherish every opportunity to review the issues raised and seek to improve efficiency and quality continuously, just like our mantra – positive complaint culture for better administration.

公署為日後發展所訂定的五年策略計劃在去年進展良好。我們與持份者的協作已重新啟動。除了每年的申訴專員嘉許獎頒獎典禮，我們亦恢復親身參與海外會議和研討會、舉辦為太平紳士及顧問而設的專題研討會。為推動公眾教育和外展工作，公署更新了不同的傳訊資料，當中包括新推出的機構宣傳片和網頁。我們亦專注學校推廣講座，期望往後獲得更多收成。公署將於下年度增設覆核個案的服務承諾，以持續改善服務。同時，培訓人才和數碼化運作一如籌劃般推進以強化機構，應付日後的挑戰。

For organisational development, our five-year Strategic Plan has gone past another year with good progress. Stakeholder engagement has warmed up again. The annual Ombudsman's Awards Presentation Ceremony aside, in-person attendance at overseas conferences and meetings, including the Seminar for the Justices of the Peace and Advisers have resumed. A refreshed communication package including corporate videos and corporate website is now ready to support educational and outreaching endeavours. Our outreach talks to schools is an area that we are focusing on and hopefully will bear more fruits in the years to come. New performance pledges for review cases will take effect next year for continuous service enhancement. Staff development and digitisation of operations have trended as planned for capacity building to meet future needs.

展望未來，我會連同公署上下，與各持份者攜手協力，繼續用心服務市民，共建公平高效、切合社會需要的公共行政。

Down the road, I, together with my dedicated staff and in collaboration with stakeholders, shall continue to serve the community with heart, and work towards a fair and efficient public administration meeting societal needs.

趙慧賢
申訴專員
2023年3月31日

Winnie Chiu
The Ombudsman
31 March 2023

首長級人員
Directorate

謝綺雯女士
Ms Sara Tse
助理申訴專員
Assistant Ombudsman

翟瑞恒先生
Mr SH Chak
助理申訴專員
Assistant Ombudsman



蘇錦成先生
Mr KS So
副申訴專員
Deputy Ombudsman

趙慧賢女士
Ms Winnie Chiu
申訴專員
The Ombudsman



章節
CHAPTERS



職能及權力
Functions and Powers

本署的角色

Who we are

申訴專員公署根據香港法例第397章《申訴專員條例》（「《條例》」）成立，是專責監察香港的公共行政的獨立法定機構，角色包括：

Established under The Ombudsman Ordinance ("the Ordinance"), Cap. 397 of the Laws of Hong Kong, we serve as the community's independent watchdog of public administration. We:

調查有關行政失當的投訴 investigate complaints of maladministration	辨識行政體制上的不足之處 identify administrative deficiencies	建議補救和改善措施，以解決市民的不滿，並改善公共行政 recommend remedial measures to redress grievances and improve public administration

本署的職能

What we do

調查投訴事宜

調查由受屈人士提出，有關行政失當（包括違反《公開資料守則》（「《守則》」））的投訴。

Investigate COMPLAINTS

from aggrieved persons about maladministration (including non-compliance with the Code on Access to Information ("the Code"))

主動調查

就涉及行政體制上的流弊或重大公眾利益的行政失當問題，進行主動調查。

Conduct DIRECT INVESTIGATIONS

into areas of suspected maladministration involving systemic problems or issues of significant public interest

調查對象限於《條例》附表1第1部及第2部所列的政府部門及公營機構。

by Government departments and public organisations listed in Part 1 and Part 2 of Schedule 1 to the Ordinance.

（所列機構，參見**附錄1**）

(See **Appendix 1** for full list)

不受本署調查的事宜 / What we cannot investigate

- 投訴所涉機構不在《條例》附表1之列（如選舉管理委員會、城市規劃委員會、區議會等）。
- 投訴所涉機構列於《條例》附表1第2部（如香港警務處、廉政公署等）但投訴事項與《守則》無關。
- 與以下行動有關的投訴

- complaints against organisations not listed in Schedule 1 to the Ordinance (e.g. Electoral Affairs Commission, Town Planning Board, District Councils, etc.)
- complaints against organisations listed in Part 2 of Schedule 1 to the Ordinance (e.g. Police, ICAC, etc.) about matters unrelated to the Code
- complaints relating to

法律程序或檢控任何人的決定 legal proceedings or prosecution decisions	合約或商業交易 contractual or other commercial transactions
人事方面的事宜 personnel matters	施加或更改土地權益條款的決定 impositions or variations of conditions of land grant

（所有不受調查的行動，參見**附錄2**）

(See **Appendix 2** for full list)

本署不予跟進的投訴個案 / We cannot pursue a case if

投訴人對所投訴的事情已知悉超過兩年 the complainant has had knowledge of the subject of complaint for over two years	投訴人沒有透露姓名、身份無從識別或下落不明 the complainant is anonymous, unidentifiable or untraceable
投訴並非由受屈人士提出 the complaint is not made by the person aggrieved	投訴人有權利根據法律程序（司法覆核除外）提出上訴或尋求補救辦法 a statutory right of appeal or remedy by way of legal proceedings (except judicial review) is available to complainant

（有關《條例》列明的限制，參見**附錄2**）

(See **Appendix 2** for full list)

涉及調查專業判斷的投訴

- 本署不會調查所涉機構純粹根據其專業判斷所作的行動或決定。
- 假如有關行動或決定也牽涉到行政方面，則本署可以調查屬於行政範疇的事宜。

What about complaints involving professional judgement?

- Not pursuable if the action or decision is based purely on professional judgement
- Pursuable if the action or decision also involves administrative actions or decisions, in which case the administrative aspect can be investigated

涉及政策事宜的投訴

政策若在制定時通過正式審議和授權的程序，本署一般不會對充分按照有關政策所採取的行動進行調查。

然而，本署若認為某項政策涉及嚴重的不公，則可以展開調查及促請所涉機構檢討看來不合時宜的政策。

What about policy matters?

We usually do NOT investigate complaints about actions taken fully in line with a policy which is made with proper authority following a due process.

BUT if grave injustice appears to be involved in a policy, we may conduct an investigation and may urge the organisation concerned to conduct a review if the policy appears to be outdated.

本署獲賦予的權力

調查
進行查訊、獲取資料及文件、傳召證人，以及視察被投訴機構的處所。

作出結論及建議
對投訴下結論，並提出建議。

發表報告
向所涉機構的首長報告調查結果；如適宜，亦可向行政長官提交報告。

The powers we have

INVESTIGATION
conduct inquiries, obtain information and documents, summon witnesses and inspect premises of organisations under complaint

CONCLUSION AND RECOMMENDATION
decide on complaints and make recommendations

REPORT
report the results of investigation to the head of organisation concerned or, if appropriate, to the Chief Executive

保密規定

- 申訴專員及其屬下所有人員，以至於本署的顧問，均須遵守保密條文，不得披露任何有關投訴及調查的資料，否則可判處罰款及監禁。

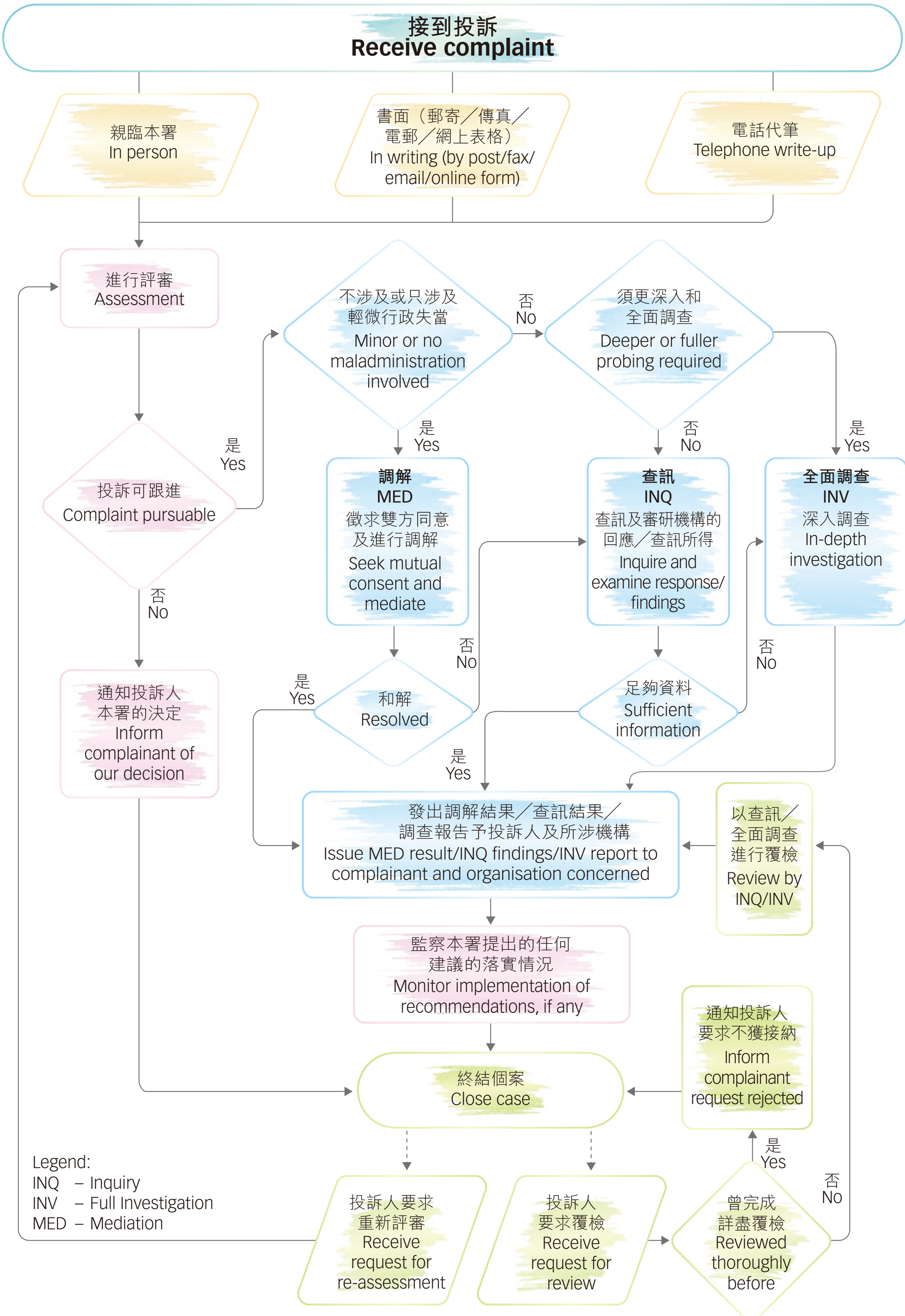
- 申訴專員可基於公眾利益，在不披露所涉人士身份的情況下就任何調查發表報告。

How we maintain secrecy

- The Ombudsman and all her staff and advisers are bound by the Ordinance to maintain secrecy for all matters of any complaint and investigation, and are liable to a fine and imprisonment in case of non-compliance

- The Ombudsman may in the public interest publish a report on any of her investigations without disclosing the names of the persons involved

處理投訴流程圖
Flow Chart on Handling of a Complaint



Legend:
INQ – Inquiry
INV – Full Investigation
MED – Mediation

用語詞彙

Glossary of Terms

行政失當
行政失當在《申訴專員條例》中已有定義，基本上是指機構行政欠缺效率、拙劣或不妥善，包括不合理的行為；濫用權力或權能；不合理、不公平、欺壓、歧視或不當地偏頗的程序及延誤；無禮及不為他人着想的行動。

Maladministration
This is defined in The Ombudsman Ordinance. It basically means inefficient, bad or improper administration including unreasonable conduct; abuse of power or authority; unreasonable, unjust, oppressive or improperly discriminatory procedures and delay; discourtesy and lack of consideration for a person.

查詢
指市民要求本署提供資料或意見。

Enquiry
An enquiry is a request for information or advice.

投訴
投訴是一項具體指稱，投訴人指某些不當行為、不合理行動、不妥善的決定或程序令其受到影響，並感到不滿或受屈。

Complaint
A complaint is a specific allegation of wrong doing, unreasonable action or defective decision or procedure which affects and aggrieves the complainant.

同類主題投訴
市民或會就社會上出現的特殊問題或同類的課題而提出投訴，他們主要都是針對被投訴機構所作的某項行動或決定。

Topical Complaints
These are complaints on a particular social or topical issue. They are essentially against the same action or decision by the organisation under complaint.

投訴事項不在本署職權範圍內
指《申訴專員條例》訂明，申訴專員不得調查的被投訴機構或行動。

Outside Jurisdiction
This refers to the situation where the action or organisation subject to complaint is not within The Ombudsman's jurisdiction under The Ombudsman Ordinance.

受條文所限不進行調查
指基於《申訴專員條例》列明的限制，例如逾期投訴、投訴人無從識別或下落不明、投訴事屬微不足道、瑣屑無聊或無理取鬧等，本署不對投訴進行調查。

Restrictions on Investigation
These are the restrictions on investigation under The Ombudsman Ordinance such as time-barred complaints, unidentifiable or untraceable complainants, trivial, frivolous or vexatious complaints, etc.

投訴已撤回
指投訴人主動撤回所提出的投訴。然而，視乎所指稱事項的性質或嚴重程度，申訴專員仍可能會繼續跟進個案。

Withdrawal of Complaint
This is a complainant's voluntary withdrawal of a complaint. However, depending on the nature or gravity of the allegations, The Ombudsman may still pursue the case.

投訴人的同意

投訴人須表明同意申訴專員複製其投訴內容及任何其他資料（包括其個人資料），轉交任何有關人士／機構跟進；而任何有關人士／機構可向申訴專員提供投訴人的個人及其他相關資料，以便申訴專員處理其投訴。投訴人亦可表明不同意本署向被投訴機構披露其個人資料。然而，在此情況下，申訴專員可能難以全面地處理其投訴，甚或無法處理。

Consent from Complainant

To facilitate The Ombudsman's handling of a complaint, the complainant is required to give consent for: The Ombudsman to copy his/her complaint and any other information, including his/her personal data, to any party concerned; and any party concerned to provide the complainant's personal and other relevant information to The Ombudsman. The complainant may, by stating his/her wish clearly, withhold consent to the disclosure of his/her personal data to the party under complaint. However, in this circumstance, The Ombudsman may not be able to process the complaint satisfactorily or at all.

調解

指投訴人與被投訴機構在自願的情況下，藉着獲本署授權，且角色中立的調解員的協助，討論投訴個案，以尋求雙方均願意接受的解決方法。

Mediation

This is a voluntary process carried out where the complainant and the organisation under complaint agree to discuss the complaint through the facilitation of our authorised mediator, who will help explore mutually acceptable solutions impartially.

查訊

是本署跟進一般性質的投訴個案時採用的程序，旨在較迅速地解決投訴事宜。在適當情況下，我們會要求被投訴機構同步回覆本署及投訴人。本署會審研有關機構的回覆、投訴人對回覆的意見，以及任何其他相關資料或本署所蒐集的證據。在完成對投訴的查訊後，本署會把結果告知投訴人，如有需要，亦會建議所涉機構採取補救行動或改善措施。若認為有必要更深入及全面地調查投訴事項，我們會展開全面調查。

Inquiry

This is the procedure we use to process general complaint cases, with the aim to resolve complaints more speedily. We ask the organisation under complaint to respond to us and, if we see fit, to the complainant in parallel. We will examine such response, and the complainant's views on it where applicable, together with any other relevant information or evidence we have collected. We will, in conclusion, present our findings to the complainant and make suggestions to the organisation concerned for remedy or improvement where necessary. Where deeper and fuller probing is needed before we can conclude the case, we will launch a full investigation.

全面調查

指深入的查訊，通常就較複雜或性質嚴重的投訴展開調查。如有需要，本署在完成全面調查後會提出改善建議或補救措施。

成立、部分成立和不成立

均屬本署就投訴進行全面調查後所作結論的類別，以反映被投訴機構不同程度的過失。

Full Investigation

This refers to an in-depth inquiry, usually into complex or serious complaints, with recommendations for improvement or remedy, where warranted, upon conclusion.

Substantiated, Partially Substantiated and Unsubstantiated

These are classifications of the outcome of our full investigations reflecting the varying degrees of culpability of an organisation under complaint.

投訴不成立，但機構另有缺失

是本署就投訴進行全面調查後所作結論的類別，以反映投訴人所提出的投訴雖然不成立，但申訴專員卻發現所涉機構另有顯著的行政失當之處。

未有定論

是本署就投訴或當中某個投訴點進行全面調查後所作結論的類別。申訴專員在完成調查後認為所蒐集的證據有矛盾、不一致、不完整或缺乏佐證，故此不擬就投訴或投訴點是否成立而下結論。

Unsubstantiated but other Inadequacies Found

This is the classification of the outcome of our full investigation where a complainant's allegations are unsubstantiated but The Ombudsman discovers other aspects of significant maladministration.

Inconclusive

We classify the outcome of our full investigation into a complaint or allegation as inconclusive where, on completion of the investigation, The Ombudsman is not prepared to determine whether the complaint or allegation is substantiated or not, because the evidence is conflicting, irreconcilable, incomplete or uncorroborated.

主動調查

指儘管沒有接到投訴，但本署基於公眾利益而決定主動進行的調查。主動調查通常針對某些涉及行政體制的事宜或受市民關注的課題。

Direct Investigation

This is an investigation initiated in the public interest even in the absence of complaint and generally on matters of a systemic nature or issues of community concern.

主動調查
Direct Investigation

申訴專員有權展開主動調查，以探討某些可能與行政失當有關的問題。這些問題大多涉及行政體制上的流弊或重大的公眾利益。廣受社會關注的課題，或所接獲的投訴反映事情可能涉及嚴重行政失當，往往會觸發我們展開主動調查。

The Ombudsman may, of her own volition, initiate direct investigation ("DI") into areas of suspected maladministration usually involving systemic problems or issues of significant public interest. A DI may be prompted by significant topical issues of community concern or complaints indicative of issues involving serious maladministration.

展開主動調查

Launching Direct Investigation

在決定是否對某課題展開主動調查之前，本署通常會進行初步查訊。若查訊結果顯示有需要作進一步研究，我們會展開主動調查，並正式通知相關機構的首長。視乎情況，我們可無須先進行初步查訊，便直接展開主動調查。

Before deciding whether or not to launch a DI into an issue, we usually conduct a preliminary inquiry. If the inquiry points to the need for further study, we will formally notify the head of the organisation concerned of our launch of DI. Where the circumstances warrant, we may launch a DI without conducting a preliminary inquiry.

一般而言，如決定就某課題展開主動調查，我們會作公布並徵詢公眾意見。進行主動調查時，本署會按照一貫做法向相關機構索取重要資料，亦會視乎主動調查課題的性質，決定是否邀請相關界別的人士及業內專家提供意見。

In general, we will publicly announce our commencement of DI and invite members of the public to provide information and views on the topic under investigation. Apart from seeking crucial information from the organisations concerned like we normally do for complaint investigation, we may, depending on the nature of the subject under study, invite views from relevant sectors and experts.

在展開主動調查及總結有關調查前，本署通常會與所涉機構的高層人員討論我們的觀察所得及意見。這類交流有助澄清疑問及更深入地探討問題。

We often discuss our observations and views with senior officers of the organisation(s) under investigation, at the outset as well as before conclusion. Such exchanges are useful in clarifying points of doubt and furthering insight into the issues.

發表調查報告

Publication of Reports

申訴專員如認為將主動調查報告公布是符合公眾利益的，可在新聞發布會或本署網頁上發表報告。

If The Ombudsman considers it to be in the public interest to publish a report on a DI, she may announce the findings at media conferences or on our website.

本署的主動調查並非每次都以有關機構有嚴重行政失當為結論。事實上，部分事涉機構在本署進行調查期間可能已經採取了補救／改善措施。不過，我們相信市民大眾仍然希望知道本署已完成的工作和調查所得。故此，本署會以不同形式發表所有主動調查報告。

Naturally, DIs may not all come to a conclusion that there is serious maladministration on the part of the organisation(s) concerned, and some organisations may have taken remedial/improvement measures in the course of our investigation. Nevertheless, the public would still wish to know what we have done and what we have found. Hence, all our DI reports are published in one way or another.

本年度，本署完成了九項主動調查，當中六項的調查結果已於新聞發布會上公布，其餘三項則透過新聞公報發表，而所有主動調查報告均已上載本署網頁。在年度內完成的主動調查一覽見以下圖表。

During the year we completed nine DIs, with six reports publicly announced at press conferences and the rest through press releases. The reports of all DIs were uploaded to our website. A full list of DIs completed during the year is in the table below.

在2022/2023年度，

In 2022/2023,

本署完成了：
We completed:

9
項主動調查
DIRECT INVESTIGATIONS

本署提出了：
We made:

86
項建議
RECOMMENDATIONS

DI/444	廢物分類回收桶的管理和成效	Management and Effectiveness of Waste Separation Bins
DI/446	食物環境衞生署執行防治鼠患工作成效	Effectiveness of Rodent Prevention and Control by Food and Environmental Hygiene Department
DI/449	民航處對滑翔傘活動的規管	Civil Aviation Department’s Regulation of Paragliding Activities
DI/451	政府土地上棄置車輛的問題	Problem of Abandoned Vehicles on Government Land
DI/452	政府對新界豁免管制屋宇違例建築工程所採取的執管行動	Government’s Enforcement against Unauthorised Building Works in New Territories Exempted Houses
DI/453	船隻涉嫌違規經營街渡服務的問題	Problem of Alleged Illegal Operation of Kaito Ferry Service
DI/454	太平紳士巡視計劃下法定巡視的運作安排	Operational Arrangements for Statutory Visits under Justices of the Peace Visit Programme
DI/455	政府對貨物及雜物非法霸佔或阻礙街道的規管	Government’s Regulation of Illegal Occupation or Obstruction of Streets by Goods and Miscellaneous Articles
DI/460	康樂及文化事務署公共圖書館電子書借閱服務	E-book Lending Service of Public Libraries under Leisure and Cultural Services Department

各報告全文可於本署網頁瀏覽
All the full reports are available on our website
www.ombudsman.hk

中文 ENG

主動調查報告摘要

Case Synopses

環境保護署
Environmental Protection Department



個案編號： Case No.：	DI/444
完成日期： Completed on	2022年4月26日 26 April 2022

廢物分類回收桶的管理和成效

本署調查所得

政府自1998年起設置收集廢紙、鋁罐及膠樽的廢物分類回收桶（俗稱「三色桶」，以下簡稱「回收桶」），鼓勵市民參與減廢及回收。

本署的調查發現，環境保護署（「環保署」）自2020年10月1日起從食物環境衞生署接管公共空間回收桶的管理工作後，作出了多項改善措施，亦加強對承辦商的監管，其管理情況有初步改善，該署的努力值得肯定。另一方面，公共空間回收桶的標示及環保署的流動應用程式「咪嘥嘢」內的資訊有可改善之處。

本署的建議

申訴專員向環保署提出了六項改善建議，包括檢視公共空間回收桶的標示；適時更新流動應用程式「咪嘥嘢」內有關公共空間回收桶的資訊；繼續加強與其他管理回收桶的政府部門的協作；定期發布公共空間回收桶的運作數據；持續加強宣傳教育；以及就公共空間回收桶的政策定位訂下檢討時間表，以決定其未來路向。

Management and Effectiveness of Waste Separation Bins

Our findings

Since 1998, the Government has provided waste separation bins (commonly known as "three-colour recycling bins" and hereafter "recycling bins") for collection of waste paper, aluminium cans and plastic bottles, thereby encouraging the public to participate in waste reduction and recycling.

Our investigation revealed that the Environmental Protection Department ("EPD"), after taking over the management of recycling bins in public places from the Food and Environmental Hygiene Department on 1 October 2020, had implemented a number of improvement measures and stepped up the monitoring of the contractor, with initial improvements in their management. We found the efforts of EPD commendable. Meanwhile, our investigation identified areas for improvement in the labels on recycling bins in public places and information on the "Waste Less" mobile application of EPD.

Our recommendations

The Ombudsman made six recommendations to EPD, including that it should review the labels on recycling bins in public places; update the information about recycling bins in public places in the "Waste Less" mobile application in a timely manner; continue strengthening collaboration with other departments responsible for recycling bin management; release data on the operation of recycling bins in public places regularly; continue stepping up publicity and education; and work out a schedule to review the policy positioning of recycling bins in public places for deciding on the way forward.

食物環境衞生署
Food and Environmental Hygiene Department



個案編號： Case No.:	DI/446
完成日期： Completed on	2022年5月24日 24 May 2022

食物環境衞生署執行防治鼠患工作成效

本署調查所得

鼠患對市民日常生活造成滋擾，亦可能傳播多種嚴重疾病，故廣受社會關注。

食物環境衞生署（「食環署」）負責應對一般公眾地方的鼠患問題，亦為管理不同公共場地和處所的政府部門提供防治鼠患的技術支援和培訓。

本署的調查發現，食環署在鼠患監察、進行防鼠和滅鼠工作，以及運用鼠患投訴數據三個範疇，均有可改善之處。

本署的建議

申訴專員向食環署提出11項改善建議，包括考慮增加每年鼠患參考指數調查的次數，並研究制訂「綜合鼠患指數」的可行性；加強前線及督導人員對正確使用滅鼠工具和裝備的培訓工作；投放更多資源整理及分析鼠患投訴詳情；加強與本地大學及相關學術機構合作進行研究等。

至於公眾街市及後巷兩大潛在鼠患熱點，食環署應加強對街市商販和接連後巷的商舖的教育、監察及執管；同時考慮以「風險為本」的原則審視及揀選需要提升潔淨程度及加強防治鼠患工作的街市名單，作重點跟進。

Effectiveness of Rodent Prevention and Control by Food and Environmental Hygiene Department

Our findings

Rodent infestation has been an issue of wide public concern as it causes nuisances to the daily life of the general public and may spread different types of serious diseases.

The Food and Environmental Hygiene Department ("FEHD") handles rodent infestation in ordinary public places and provides training and technical support for other Government departments regarding rodent prevention and control at public venues and premises under the latter's management.

Our investigation identified three areas for improvement in FEHD's work on rodent surveillance, rodent prevention and disinfestation, and application of rodent-related complaint data.

Our recommendations

The Ombudsman made 11 recommendations to FEHD, including that it should consider conducting rodent infestation surveys more frequently each year and explore the feasibility of formulating a "composite rodent infestation rate", strengthen the training for frontline and supervisory staff on the correct use of tools and equipment for rodent disinfestation, allocate more resources to collate and analyse rodent-related complaints, strengthen the cooperation with local universities and academic institutions in conducting researches, etc.

As for two potential hotspots of rodent activities, namely public markets and rear lanes, FEHD should strengthen the education, monitoring and enforcement on market stall tenants and operators of shops adjoining rear lanes, while considering the adoption of a risk-based approach to work out a list of markets requiring more focused action on cleanliness and anti-rodent control.

民航處
Civil Aviation Department



個案編號： Case No. :	DI/449
完成日期： Completed on	2022年5月24日 24 May 2022

民航處對滑翔傘活動的規管

本署調查所得

民航處透過《空運（航空服務牌照）規例》及《1995年飛航（香港）令》，對取酬的滑翔傘航空服務及魯莽或疏忽操作滑翔傘的行為作出規管。本署的調查發現，民航處上述的規管工作有可改善之處，包括須切實執行涉及本地滑翔傘活動的法例、加強對涉嫌違法行為進行調查，以及增加滑翔傘航空服務許可證制度的宣傳教育工作。

本署的建議

申訴專員向民航處提出了八項建議，包括研究透過立法或制訂行政措施為滑翔傘飛行員及其所使用的飛行器具設立註冊制度；考慮為本地滑翔傘組織訂立認可制度，正式授權或委聘合適的組織管理滑翔傘活動和調查相關意外及事故；加強滑翔傘航空服務許可證制度的執管和宣傳教育工作；以及研究延長獲批續期的許可證有效期至多於六個月。

Civil Aviation Department's Regulation of Paragliding Activities

Our findings

The Civil Aviation Department ("CAD") regulates the air services provided by paragliders for reward and the reckless or negligent operation of paragliders through the provision in the Air Transport (Licensing of Air Services) Regulations and the Air Navigation (Hong Kong) Order 1995. Our investigation found that there is room for improvement in the regulatory work of CAD, including that CAD should conscientiously enforce the legislations related to local paragliding activities, step up the investigations of alleged illegal behaviours, and enhance publicity and public education on the permit system for the provision of air services by paragliders.

Our recommendations

The Ombudsman made eight recommendations to CAD, including exploring legislative or administrative measures to formulate a registration system for paragliding pilots and the paragliding equipment they use; considering setting up an authorisation regime for local paragliding organisations, and officially authorising and appointing appropriate organisations to administer paragliding activities and conduct investigation into related accidents and incidents; strengthening enforcement and regulation under the permit system for the provision of air services by paragliders and stepping up publicity on the system; and considering granting renewed permits with a validity period longer than six months.

運輸署、地政總署及民政事務總署
Transport Department, Lands Department and Home Affairs Department



個案編號： Case No.：	DI/451
完成日期： Completed on	2022年8月30日 30 August 2022

政府土地上棄置車輛的問題

本署調查所得

本港廢棄車輛長期停放在公共泊車位、公共道路或行人路的問題持續多時且遍布多區。當局採取的執法策略是嘗試利用《土地（雜項條文）條例》檢控被棄置在政府土地上的車輛的登記車主。然而，地政總署基於檢控成效不高，自2007年開始停止相關的搜證和檢控工作。直到2021年民政事務總署（「民政總署」）介入，有關部門才開展跨部門聯合清理棄置車輛的行動。本署認為問題的癥結是政府沒有確立及追究車主須妥善處置其車輛的責任，導致車主可以隨意棄置車輛。即使當局加大力度清理路旁的棄置車輛，其實等如免費替車主處置車輛，治標不治本，無助長遠有效解決問題。

本署的建議

申訴專員提出合共七項改善建議，包括運輸署應及早修訂法例以清晰訂明登記車主須妥善處置其廢棄車輛，否則須負上刑責；主動提醒牌照已逾期一段時間的車主應適時續領車輛牌照及須妥善處置其車輛；運輸署及地政總署應協作以追查棄置車輛車主的身份，以及主動跟其他相關部門協作，共同制訂處理公共後巷的棄置電單車之程序；民政總署應主動不時檢視各區的情況，適時啟動跨部門聯合行動以清理區內的棄置車輛等。

Problem of Abandoned Vehicles on Government Land

Our findings

Unwanted vehicles being left in public parking spaces, public roads or pavements for prolonged periods is a persistent and pervasive problem in Hong Kong. The Government has been adopting an enforcement strategy that tries to prosecute the registered owners of those vehicles abandoned on Government land by invoking the Land (Miscellaneous Provisions) Ordinance. Nevertheless, the Lands Department ("LandsD") considered that the relevant prosecution efforts were largely ineffective. The Department thus had suspended its work on evidence collection and prosecution for those cases since 2007. It was not until 2021 when the Home Affairs Department ("HAD") intervened that inter-departmental joint clearance operations were launched to remove abandoned vehicles. The crux of the problem, as The Ombudsman sees it, is that the Government has yet to establish the responsibility of vehicle owners to dispose of their vehicles properly and hold the owners liable for non-compliance. As a result, vehicle owners can wilfully abandon their vehicles. Stepped up efforts by the Government to remove vehicles abandoned at the roadside have in effect helped vehicle owners dispose of their vehicles for free. The removal efforts only address the symptoms and offer no long-term solution to the problem.

Our recommendations

The Ombudsman made a total of seven recommendations, including that the Transport Department ("TD") should promptly amend the legislation to stipulate clearly the vehicle owners' responsibility for the proper disposal of their unwanted vehicles and their legal liability for non-compliance, and take initiative to remind owners of vehicles of which vehicle licences have already expired for a certain period to renew vehicle licences in a timely manner and dispose of unwanted vehicles properly; TD and LandsD should collaborate in tracing the identity of the owners of abandoned vehicles and strengthen their cooperation with other relevant departments with a view to formulating together the procedures for handling the motorcycles abandoned in public rear lanes; and HAD should proactively monitor the situation of various districts and organise joint clearance operations in a timelier fashion to remove abandoned vehicles in a district.

屋宇署及地政總署
Buildings Department and Lands Department



個案編號： Case No.：	DI/452
完成日期： Completed on	2023年2月13日 13 February 2023

政府對新界豁免管制屋宇違例建築工程所採取的執管行動

本署調查所得

2012年4月，政府實施針對新界豁免管制屋宇違例建築工程（「僭建物」）的加強執法策略。本署的調查發現，雖然加強執法策略的政策目標明確，值得肯定，但該策略過去十年的實際執行情況有多處不足。屋宇署在僭建物個案的跟進及執法、檢控及刑罰、數據運用、與地政總署的協作，以及加強執法策略本身及評估成效機制方面，均有可改善之處。

本署的建議

申訴專員向屋宇署及地政總署提出11項改善建議，包括屋宇署應研究簡化針對正在施工的僭建物的執法程序、積極探討大規模行動顧問公司需提交的報告可簡化之處、加強檢控持續未有遵從清拆令的業主、就取得的僭建物資料編製統計資料作數據分析、全面檢討加強執法策略的政策及資源運用並研究制訂工作成效指標；屋宇署及地政總署應定期監察未獲對方提供資料的查詢個案，以及考慮設立跨部門聯絡小組。

Government's Enforcement against Unauthorised Building Works in New Territories Exempted Houses

Our findings

Since April 2012, the Government has implemented an enhanced enforcement strategy against unauthorised building works ("UBWs") of New Territories Exempted Houses. While it is commendable of the Government to have implemented the enhanced strategy with a clear policy objective, our investigation revealed multiple inadequacies in the actual implementation of the strategy in the past decade. We identified areas for improvement in the Buildings Department ("BD")'s follow-up and enforcement actions on UBWs, prosecution and penalty, use of data, coordination with the Lands Department ("LandsD"), as well as the enhanced strategy itself and the mechanism for assessing effectiveness.

Our recommendations

The Ombudsman made 11 recommendations to BD and LandsD, including that BD should explore streamlining the enforcement procedures for tackling UBWs under construction, proactively identify areas for streamlining consultants' submission of reports regarding large-scale operations, step up prosecutions against persistent non-compliant owners, compile statistics on UBWs based on information collected for analysis purposes, holistically review the policy of the enhanced strategy and resources utilisation and formulate performance indicators for measuring effectiveness; BD and LandsD should regularly monitor pending cases with information outstanding and consider setting up an inter-departmental liaison group.

海事處及運輸署
Marine Department and Transport Department



個案編號： Case No.：	DI/453
完成日期： Completed on	2022年8月30日 30 August 2022

船隻涉嫌違規經營街渡服務的問題

本署調查所得

街渡是市民往返偏遠的沿岸旅遊地點的主要交通工具。街渡營辦商須向運輸署申領街渡渡輪服務牌照；而海事處則負責規管本地船隻的牌照事宜和海上航行安全。本署的調查發現，海事處的巡查未能有效打擊船隻非法載客活動，該處亦無清楚説明第IV類別遊樂船隻只可「由船東／承租人純為遊樂用途」的意思；運輸署則忽視無牌街渡服務的問題，並且缺乏有效措施協助市民辨識無牌或違規街渡服務。

本署的建議

申訴專員對海事處和運輸署提出了十項建議，涵蓋提升打擊船隻違規載客活動的成效、加強資訊發放，協助公眾辨識違規船隻載客活動、積極解決無牌街渡服務問題及進一步保障船上乘客安全四方面。具體建議包括海事處應針對船隻違規載客活動，加密進行巡查及「放蛇」行動，並且為前線人員制訂截查工作指引；就船隻載客時船上救生設備不符合法例或相關安全標準的個案加強執法；並應清楚解説有關船隻「由船東／承租人純為遊樂用途而使用」的規限；運輸署應加強宣傳並協助公眾便捷地辨識領牌街渡航線的指定船隻；評估街渡服務的狀況；以及監察違規街渡服務並轉介涉嫌違規個案至相關部門。

Problem of Alleged Illegal Operation of Kaito Ferry Service

Our findings

Kaito is the major mode of transport for passengers commuting to and from remote coastal destinations. Kaito operators are required to obtain kaito ferry service licences from the Transport Department ("TD"), while the Marine Department ("MD") is responsible for the licensing of local vessels and ensuring marine safety. Our investigation has revealed that MD's patrols are ineffective in deterring illegal carriage of passengers by local vessels. The Department also fails to clarify the meaning of the using of Class IV pleasure vessel exclusively "for pleasure purposes by owner/charterer". On the other hand, TD overlooks the problems of unlicensed kaito service and lacks effective measures to assist the public to identify unlicensed or illegal kaito service.

Our recommendations

The Ombudsman made ten recommendations to MD and TD, covering areas of enhancing deterrence against illegal carriage of passengers, strengthening dissemination of information to assist the public identification of illegal carriage of passengers on vessel, proactively addressing the problem of unlicensed kaito service and further ensuring passenger safety. Recommendations include that MD should conduct more frequent patrols and decoy operations against illegal carriage of passengers; draw up guidelines for frontline inspections; step up enforcement on tackling cases of breaches of the statutory provisions for carriage of passengers and safety standards for life-saving appliances on board; and explain clearly the requirement of a vessel being used "exclusively for pleasure purpose by its owner or charterer"; while TD should step up publicity and assist the public's easy identification of specified vessel of licensed kaito routes; assess the supply of and demand for kaito services; as well as monitor illegal kaito service in order to refer suspected cases to relevant departments for follow-up.

行政署、懲教署、入境事務處、醫院管理局及社會福利署
Administration Wing, Correctional Services Department, Immigration Department, Hospital Authority and Social Welfare Department



個案編號：DI/454
Case No.: DI/454

完成日期：2023年1月31日
Completed on 31 January 2023

太平紳士巡視計劃下法定巡視的運作安排

Operational Arrangements for Statutory Visits under Justices of the Peace Visit Programme

本署調查所得

太平紳士須定期到指定院所突擊巡視。整體而言，本署認為太平紳士巡視計劃的運作大致暢順，亦肯定太平紳士的貢獻，然而，計劃的運作安排仍有可改善之處。

本署的調查發現，部門及機構各自擬備的核對表雖列出太平紳士在巡視院所時可特別注意的事項，但該些事項實際上未必會在巡視時獲評核。部分部門及機構未有即時通知所有院所人士太平紳士正在巡視；亦有部分部門及機構未有通知院所人士可要求與太平紳士單獨會面。就太平紳士在巡視時是否已見到所有院所人士，現時各院所單靠職員口頭確認的方式欠客觀及全面。

本署的建議

申訴專員向行政署、懲教署、入境事務處、醫院管理局（「醫管局」）及社會福利署提出13項改善建議，包括檢視及修訂各自的「太平紳士巡視記錄」樣本，將核對表上的注意事項加入巡視記錄的相關部分；主動向太平紳士提供評核所有注意事項所需的資料及暫時離開院所的人士的名單；懲教署及醫管局考慮透過廣播系統或其他方式，及早通知所有院所人士有太平紳士即將進行巡視等。

Our findings

Justices of the Peace ("JPs") regularly conduct surprise visits to specified institutions. Overall, we considered the operation of the JP Visit Programme smooth in general and recognised the contribution of JPs. However, there is still room for improvement in its operational arrangements.

Our investigation revealed that although departments and organisations have prepared their respective checklists highlighting the key areas that JPs may wish to heed when visiting their institutions, some key areas on the checklists may be left unassessed in actual operation. Certain departments and organisations do not notify immediately all the institutionalised persons of JPs' visit, while some do not inform institutionalised persons that they can request to meet JPs in private. Moreover, mere verbal confirmation by staff of institutions as to whether JPs have seen all institutionalised persons during the visit is not entirely objective or complete.

Our recommendations

The Ombudsman made 13 recommendations to the Administration Wing, the Correctional Services Department ("CSD"), the Immigration Department, the Hospital Authority ("HA") and the Social Welfare Department, including reviewing and revising their respective templates of the JP Visit Logbook to incorporate the key areas on the checklist accordingly; proactively providing JPs with related information for assessment of all the key areas and a name list of the persons temporarily away from an institution; and that CSD and HA should consider using the public address system or other means to notify early all institutionalised persons that JPs are about to start a visit.

效率促進辦公室、環境保護署、食物環境衞生署、路政署、民政事務總署及地政總署
Efficiency Office, Environmental Protection Department, Food and Environmental Hygiene Department, Highways Department, Home Affairs Department and Lands Department



個案編號：Case No.: DI/455

完成日期：Completed on 2023年2月14日 14 February 2023

政府對貨物及雜物非法霸佔或阻礙街道的規管

本署調查所得

貨物及雜物非法霸佔或阻礙街道是各區普遍的街道管理問題，涉及不同部門的管轄範圍，因此需依靠部門之間通力合作。本署的調查發現，當局在執管工作、跨部門協作，以及投訴及轉介機制方面，均有可改善之處。

本署的建議

申訴專員向當局提出14項改善建議，包括食物環境衞生署（「食環署」）在制訂巡查及執管安排時，應引入不同數據進行分析、加強在中央層面審視各分區的巡查、執管及資源運用；地政總署則應訂立協商機制，讓其他部門需要協助時可透過機制提出，並加強對違規使用地台擴展營業範圍的商戶的執管。

跨部門協作方面，民政事務總署（「民政總署」）應督導各區民政事務處（「民政處」）更積極統籌地區事務及協調部門解決問題，並鼓勵其他部門善用民政處的協調角色。對於民政處介入後仍未能解決的違規問題或權責爭議，民政總署應果斷上呈至地方行政督導委員會作高層次協商。

此外，當局應全面檢視現行法例的罰則，並研究賦權食環署人員移走、檢取和扣押非法霸佔或阻礙街道物品的可行性。

Government's Regulation of Illegal Occupation or Obstruction of Streets by Goods and Miscellaneous Articles

Our findings

Illegal occupation or obstruction of streets by goods and miscellaneous articles has been a common street management problem that falls within the ambit of various government departments, hence requiring inter-departmental collaboration. Our investigation identified areas for improvement in the Government's enforcement actions, inter-departmental collaboration and the complaint referral mechanism.

Our recommendations

The Ombudsman made 14 recommendations to the Government, including that the Food and Environmental Hygiene Department ("FEHD") should use various data for analysis to formulate inspection and enforcement plans, and step up the monitoring at central level of the arrangements for inspection and enforcement as well as resources utilisation across districts. The Lands Department should establish a coordination mechanism enabling other departments to seek its assistance where necessary, and step up its enforcement against unauthorised extension of business area with shopfront platforms.

In terms of inter-departmental collaboration, the Home Affairs Department ("HAD") should supervise District Offices' more active performance of their role in coordinating district affairs and problem-solving among departments, and encourage other departments to make good use of their coordinating role. As for unsettled irregularities or unresolved disputes on enforcement responsibilities after District Offices' intervention, HAD should decisively escalate the matter to the Steering Committee on District Administration for high-level negotiation.

In addition, the authorities should review comprehensively the existing penalties under the law, and explore the feasibility of empowering FEHD staff to remove, seize and detain articles causing illegal occupation or obstruction of streets.

康樂及文化事務署
Leisure and Cultural Services Department



康樂及文化事務署公共圖書館電子書借閱服務

本署調查所得

在2019冠狀病毒病疫情爆發後，康樂及文化事務署（「康文署」）轄下香港公共圖書館在2020年的電子書使用量較2019年大幅飆升，個別電子書的預約輪候人數持續高企，輪候時間更以月甚至年計，反映部分熱門電子書供求失衡。本署發現，康文署在電子書借閱期及掌握讀者需求方面可更臻完善，以確保資源用得其所，並提升公共圖書館的服務質素。

本署的建議

申訴專員向當局提出六項改善建議，包括持續檢視情況並考慮可否延長電子書的借閱期，確保讀者有合理時間閱讀電子書；加強現有機制，有系統地恒常檢視各電子書館藏及電子書使用量及借閱情況；持續監察公共圖書館採購電子書的工作，確保擬揀選入藏的電子書須經「館藏發展會議」審批；持續檢視採購電子書的安排，積極考慮為熱門電子書購置更多額外複本及／或新版本；日後進行讀者意見問卷調查時，為電子書服務制訂針對性的題目；以及善用香港公共圖書館的網頁及社交媒體帳戶推廣電子書目。

個案編號： Case No.：	DI/460
完成日期： Completed on	2023年3月30日 30 March 2023

E-book Lending Service of Public Libraries under Leisure and Cultural Services Department

Our findings

Subsequent to the outbreak of the COVID-19 pandemic, the usage of e-books of the Hong Kong Public Libraries under the Leisure and Cultural Services Department ("LCSD") in 2020 surged as compared with that of 2019. Given the long waiting lists for individual e-books, patrons would have to expect months-long or even year-long wait. That reflected an excess demand for some popular e-books. We found that LCSD could make improvement by reconsidering the length of loan periods of e-books and making efforts to learn about public demand so as to ensure optimal utilisation of resources and enhance the services of public libraries.

Our recommendations

The Ombudsman made six recommendations to LCSD, including continuing to review the situation and consider whether the loan periods of e-books should be extended to allow patrons reasonable time for reading the items borrowed; strengthening the current mechanism for reviewing regularly the usage and lending service of e-book collections and their e-book titles in a systematic manner; continuing to monitor the acquisition of e-books in public libraries to ensure that all e-books suggested for acquisition must go through the Collection Development Meeting for approval; evaluating the arrangement for acquisition of e-books regularly and considering acquiring more extra copies and/or new editions of popular e-books; setting specific questions on e-book service of public libraries in future readers opinion surveys; and making good use of the websites and social media accounts of the Hong Kong Public Libraries to promote e-book titles.


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1823

投訴
Complaints

概覽

於2022/23年度，公署接到5,357宗投訴。撇除同類主題投訴後，接到的一般投訴共5,124宗，比去年略有增加。連同由上年度轉入的投訴，我們於2022/23年度完成處理共5,323宗投訴個案，並達到服務承諾下的各項指標。

2022年2月至3月，香港爆發2019冠狀病毒病第五波疫情，在前所未有的疫情重擊下，即使疫情於4月已經稍為緩和，林林總總與疫情有關的投訴在本年度仍然是隨之而來。香港已經歷前幾波疫情，市民大眾期望政府會汲取經驗並改善安排，唯事實常與市民期望有落差；及至第五波疫情中後期，市民耐性日漸消耗，並渴求復常，若政府服務未能及時回應，便容易引致投訴。

公署於2022/23年度接到有關疫情的投訴為766宗，佔整體投訴約14%，主要涉及當局就應對疫情所作的安排和行動、紓解民困措施，以及疫情期間提供的公共服務未能符合市民的預期等。公署就這些個案，向當局提出的建議包括檢視發出隔離／檢疫證明的程序以提升效率、加入抽查資料以提升準確度、以較簡單易明的方式向市民發放防疫抗疫資訊；以及政府當局將來再推出支援計劃時，應將計劃設計得更簡單及方便理解等。

Overview

In 2022/23, we received 5,357 cases of complaints. After discounting topical complaints, there were 5,124 normal complaints, which was a slight increase as compared with previous year. Together with the cases brought forward from last year, we completed a total of 5,323 complaint cases in 2022/23. All targets of our service standards in processing complaints and enquiries were met.

In February and March 2022, Hong Kong was hit hard by the fifth wave of the COVID-19 outbreak, which was unprecedented. Although the outbreak subsided slightly in April, year 2022/23 continued to be marked by a myriad of pandemic-related complaints. Having gained the experiences from earlier waves of the outbreak, people expected the Government to learn from the experiences and improve arrangements. However, there were often gaps between what actually happened and the public's expectation. Amidst the mid to late stages of the fifth wave, the public's patience was wearing thin and they longed for a return to normalcy, which could easily lead to complaints if government services failed to respond in a timely manner.

In 2022/23, we received 766 complaints in relation to COVID-19, accounting for about 14% of the total number of complaints. Such complaints were mainly related to the arrangements and actions taken by the authorities in response to the pandemic, relief measures, public services not meeting the public's expectations during the outbreak and so forth. Arising from these cases, we made recommendations to the Government, including reviewing the procedures for issuing isolation/quarantine orders with a view to enhancing efficiency, adding random checks to enhance accuracy, disseminating information on disease prevention and control to the public in a simpler manner which is easier to be understood, as well as adopting a simpler and easier-to-understand design for future support programmes.

2022/23年度主要數字一覽
2022/23 Highlights

接到的投訴總數
Total Complaints Received
5,357

一般投訴
Normal Complaints
5,124

同類主題投訴
Topical Complaints
233

接到的查詢總數
Total Enquiries Received
9,279

已完成的投訴總數
Total Complaints Completed
5,323

一般投訴
Normal Complaints
5,069

同類主題投訴
Topical Complaints
254

整體投訴及查詢

Overall Complaints and Enquiries

5,357
投訴總數
Total Complaints
8.6%
較上年度
over last year

9,279
查詢
Enquiries
4.8%
較上年度
over last year

年內，我們接到共5,357宗投訴，較上年度的4,934宗增加8.6%。連同由上年度轉入的594宗投訴個案，本署在本年度須處理共5,951宗投訴，去年則為5,626宗。至於在年度內接到的查詢則有9,279宗。

This year, we received 5,357complaints, which was an 8.6% increase from 4,934 last year. Together with 594 complaints brought forward from last year, we had a total of 5,951 complaints for processing this year as compared to 5,626 last year. We also received 9,279 enquiries.

投訴方式

透過電子方式提出投訴依然是最多市民採用的投訴方式，本署在年度內接到以電子方式提出的投訴共4,028宗（佔75.2%）。當中，共1,709宗是透過本署網頁提出（比去年透過本署網頁提出的投訴大幅上升75.1%），這可能與本署於2022年10月推出全新設計的網頁有關，網頁的網上投訴表格經過改良，方便市民提出投訴。

Mode of Lodging Complaints

Complaint by electronic means continued to be the most popular mode, with 4,028 (75.2%) cases. Of these, a total of 1,709 complaints were lodged through our website, representing a significant increase of 75.1% over that of last year. This might be attributable to the launch of our revamped website in October 2022, with an improved online complaint form to facilitate the public to lodge complaints.

75.2%	11.0%	8.4%	3.1%	2.3%
電子方式提出的投訴 Through electronic means	郵寄 By Post	親臨本署 In Person	電話 By Phone	傳真 By Fax

已處理的投訴

我們在本年度完成處理5,323宗投訴個案，佔由上年度轉入和在年度內接到的個案總數的89.5%。在已完成處理的投訴當中，有2,558宗是已跟進並終結，其餘2,765宗個案經評審後已經終結。

本年度已跟進並終結的個案共2,558宗，較去年的2,739宗略為減少。

已跟進並終結的個案的處理方式如下：

Complaints Handled

We completed processing 5,323 cases, i.e., 89.5% of all cases received during the year and those brought forward from last year. Among the cases processed, 2,558 were pursued and concluded and 2,765 were assessed and closed after assessment.

The number of cases pursued and concluded (2,558) was slightly fewer than that of last year (2,739).

The distribution of cases pursued and concluded by mode of handling was as follows:

查訊 By Inquiry	82.6%	2,112
全面調查 By Full Investigation	5.5%	141
調解 By Mediation	11.9%	305
已跟進並終結的投訴個案總計 Complaints Pursued and Concluded in Total	**100%**	**2,558**

其餘的個案（2,765宗）經評審後已經終結。當中包括投訴缺乏充分理據（1,787宗，或64.6%），或受本署職權範圍或《條例》所限（978宗，或35.4%）。

詳細個案數字請參閱**附錄3**。

The rest of complaints handled (2,765) were closed after assessment due to insufficient grounds to pursue the complaint (1,787 or 64.6%) or jurisdictional or legal restrictions (978 or 35.4%).

Detailed caseload statistics are given in **Appendix 3**.

投訴的主要原因

根據投訴人所提出的指稱作統計，引致市民投訴的五大原因如下：

Major Causes of Complaints

Based on the allegations made by complainants, the top five causes of complaints were:

原因 Cause	%
出錯、意見／決定錯誤 Error, wrong advice/decision	39.1%
監管不力 Ineffective control	15.7%
延誤／沒有採取行動 Delay/inaction	14.7%
沒有回應投訴 Lack of response	10.1%
職員態度 Staff attitude	4.4%

在2022/23年度，「出錯、意見／決定錯誤」是引致投訴的最主要原因。

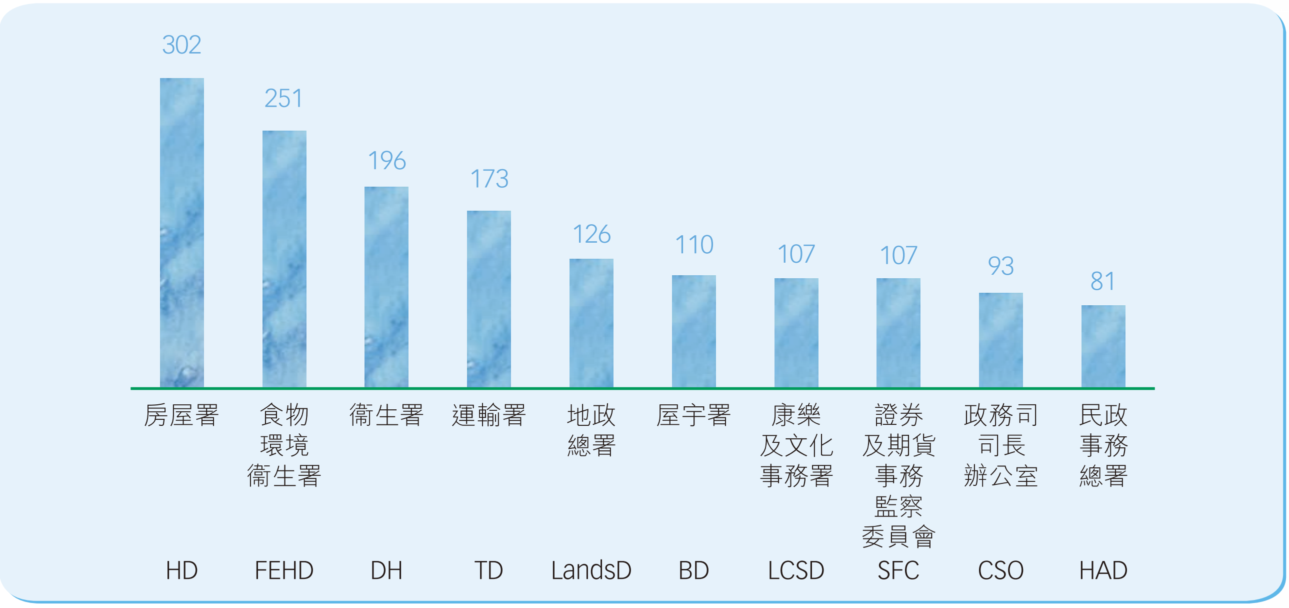
“Error, wrong advice/decision” was the most common cause of complaint in 2022/23.

最多人投訴的機構

根據本年度內已跟進並終結的投訴個案數目，被投訴最多的機構如下：

Major Targets of Complaints

The departments with the highest number of complaints pursued and concluded during the year were as follows:



接到及已跟進並終結的投訴個案（按機構排列），載於**附錄4**。

A detailed breakdown of complaints pursued and concluded, and complaints received by organisations is in **Appendix 4**.

2022/23年度履行服務承諾的統計數字

Achievement of Performance Pledges 2022/23

在本年度，我們在處理投訴時達到服務承諾所訂定的全部標準。

We met all targets of our service standards in processing complaints in the year.

投訴 Complaints	服務標準 Service Standard	承諾指標 Target	達標率 Achievement
認收投訴個案 Acknowledge receipt of a complaint	5個工作天內 within 5 working days	99%	100%
受本署職權範圍所限，經初步評審後終結投訴個案 Close a complaint case after initial assessment due to jurisdictional restrictions	10個工作天內 within 10 working days	90%	99.7%
	15個工作天內 within 15 working days	99%	100%
完成投訴個案 Conclude a complaint case	3個月內 within 3 months	80%	86.8%
	6個月內 within 6 months	99%	99.4%

處理查詢方面，我們亦能夠達到服務承諾所訂定的標準。

We were also able to meet the targets of our service standard in handling enquiries.

查詢 Enquiries	服務標準 Service Standard	承諾指標 Target	達標率 Achievement
答覆書面查詢 Reply to a written enquiry	5個工作天內 Within 5 working days	95%	99.4%
	10個工作天內 Within 10 working days	99%	100%

與疫情有關的投訴

2019冠狀病毒病疫情對社會各方都造成深遠影響。公署於2022/23年度接到有關疫情的投訴為766宗，佔整體投訴約14%，主要涉及疫情期間衞生署（209宗）及醫務衞生局（「醫衞局」）（44宗）就應對疫情所作的安排和行動，包括發出檢疫令和隔離令、強制檢測及圍封強檢、派發抗疫物資，以及熱線服務等。公署就投訴進行查訊或調查，審研衞生署／醫衞局有否按所訂的程序及準則執行有關的抗疫安排和行動，以及有否有效與市民溝通等。公署就這些個案向衞生署及醫衞局提出的建議，包括檢視發出隔離／檢疫證明的程序以提升效率、加入抽查資料以提升準確度、以較簡單易明的方式向市民發放防疫抗疫資訊，以及靈活調派人手，並提醒職員準確回覆投訴人。

除抗疫防疫外，政府推出了不同的紓解民困措施，為市民及中小企提供財政支援，包括「臨時失業支援」計劃（「失業支援」）及「2022保就業」計劃（「保就業」）等。其中，公署接到有關由政策創新與統籌辦事處[1]（「創新辦」）／政務司司長辦公室[2]（「辦公室」）（93宗）及民政事務總署（34宗）負責的「失業支援」的投訴共有127宗，而由創新辦／辦公室負責的「保就業」的投訴有115宗。就兩項計劃的投訴，主要涉及不滿計劃的審批結果和進度，以及不滿被要求退回已發放的資助及繳交罰款。公署認為，這些投訴反映計劃的援助對象，尤其是「保就業」的中小企未能充分掌握到「計劃」的設計及批核準則。公署已提醒政府當局將來若再推出支援計劃，應將計劃設計得更簡單並多加解説，確保支援對象理解計劃詳情。

[1] 於2022年6月底解散。

[2] 自2022年7月1日起接掌「臨時失業支援」計劃及「2022保就業」計劃。

COVID-19 Related Cases

The COVID-19 pandemic has had a profound impact on all sectors of the community. In 2022/23, we received 766 complaints related to the outbreak, accounting for about 14% of the total number of complaints. They mainly involved the arrangements and actions of the Department of Health ("DH") (209 cases) and the Health Bureau ("HHB") (44 cases) in response to the outbreak, including the issuance of quarantine and isolation orders, compulsory testing and restriction-testing declarations, distribution of anti-epidemic supplies, hotline services and so forth. We conducted inquiries or investigations into the complaints to examine whether DH/HHB had implemented the anti-epidemic arrangements and actions in accordance with the prescribed procedures and criteria, and whether there was effective communication with the public. Recommendations were made to DH/HHB, including reviewing the procedures for issuing isolation/quarantine orders with a view to enhancing efficiency, adding random checks to enhance accuracy, disseminating information on disease prevention and control to the public in a simpler and easier-to-understand manner, as well as adopting flexible approach in allocating manpower resources, and reminding staff to reply to complainants in a timely manner.

Apart from anti-epidemic measures, the Government also launched various relief measures to provide financial support to members of the public and small and medium enterprises ("SMEs"). These measures include Temporary Unemployment Relief Scheme and Employment Support Scheme 2022. We received 127 complaints in relation to the vetting of applications under the Temporary Unemployment Relief Scheme, of which 93 cases were against the Policy Innovation and Co-ordination Office ("PICO")[1]/Chief Secretary for Administration's Office ("CSO")[2] and 34 cases were against the Home Affairs Department. We also received 115 complaints against PICO/CSO regarding the vetting of applications under the Employment Support Scheme 2022. Complaints of these schemes mainly involved dissatisfaction with vetting results and progress, as well as dissatisfaction against requests for subsidy clawbacks and paying penalty. These complaints reflect that the target groups of these schemes, in particular SMEs under the Employment Support Scheme 2022, did not thoroughly understand the design and approval criteria of the scheme. We reminded the Government that future support schemes should be designed in a simpler manner with more explanations to facilitate the target groups' understanding of the details of the schemes.

[1] Dissolved at the end of June 2022.

[2] Took over the Temporary Unemployment Relief Scheme and Employment Support Scheme 2022 since 1 July 2022.

與此同時，公署亦接到投訴指政府部門提供的公共服務未能符合市民的預期，例如運輸署駕駛考試的輪候時間及傳統／自訂車輛登記號碼拍賣進度等；郵政署的特別派遞服務亦引起市民不滿。

At the same time, we also received complaints that the public services provided by government departments did not meet the expectations of the public, for instance, the waiting time for the Transport Department's driving tests and the progress of the auction of traditional/personalized vehicle registration marks. Special delivery arrangement of the Post Office also led to discontent of the public.

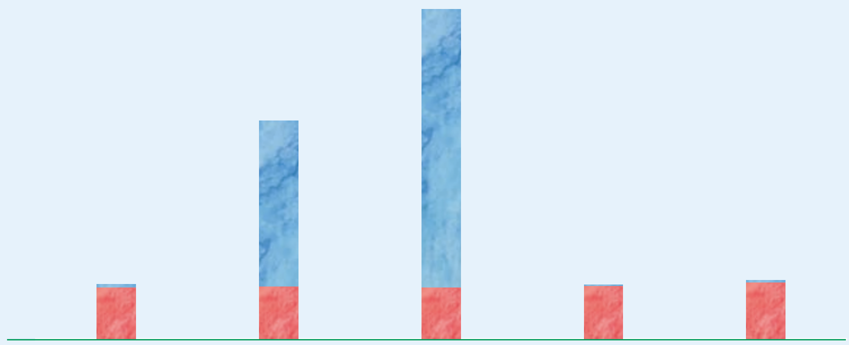
一般投訴及同類主題投訴

Normal Complaints and Topical Complaints

在本年度，本署接到共5,124宗一般投訴個案（即撇除同類主題投訴從屬個案後接到的投訴）。在由上年度轉入和年度內接到的一般投訴個案中，我們完成處理的一般個案達5,069宗。其中，有2,420宗（佔47.7%）已跟進並終結，其餘2,649宗（佔52.3%）則由於投訴缺乏充分理據，或受本署職權範圍或《條例》所限，經評審後已終結。

This year, we received 5,124 normal complaint cases (complaints received excluding secondary cases of topical nature). Among the normal complaints received and with complaints carried over from last year, the Office had completed 5,069 normal cases. Of them, 2,420 (47.7%) were pursued and concluded and 2,649 (52.3%) were assessed and closed due to insufficient grounds to pursue the complaint or jurisdictional or legal restrictions.

接到的投訴數目
Number of Complaints Received by Year



	2018/19	2019/20	2020/21	2021/22	2022/23
一般投訴 Normal complaints	4,642	4,733	4,659	4,794	5,124
同類主題投訴 Topical complaints	349	15,034	25,155	140	233
接到的投訴總計 Total complaints received	**4,991**	**19,767**	**29,814**	**4,934**	**5,357**

上述圖表顯示，本署在年內接到233宗同類主題投訴從屬個案。

As shown in the table above, we received 233 secondary cases of topical nature this year.

年度 Year	接到的從屬個案數目 Number of secondary complaints received	主要同類主題投訴（從屬個案數目） Key groups of topical complaints (number of secondary cases)
2018/19	349	延誤提供子宮頸癌疫苗（155宗） Delay in provision of HPV vaccine (155) 有關地產代理提供回贈的公眾教育短片（150宗） An educational video concerning rebates offered by estate agents (150)
2019/20	15,034	本地免費電視廣播機構獲免除播放香港電台節目的要求（3,808宗） Allowing domestic free television broadcasters to drop RTHK's programmes (3,808) 香港電台一個時事節目的報道內容（2,566宗） RTHK's reporting in a news programme (2,566)
2020/21	25,155	沒有就某個位於政府土地的非法墳墓採取行動（24,340宗） Inaction against a tomb illegally located on Government land (24,340) 沒有對某個疑屬「集體投資計劃」的項目採取行動（208宗） Inaction against an allegedly collective investment scheme (208) 香港電台停播及抽調某些電視節目（175宗） RTHK's suspension and rescheduling of TV programmes (175)
2021/22	140	沒有就某物業發展項目的回報涉嫌虛假陳述採取行動（31宗） Inaction against allegedly false descriptions about the yield of a property development (31) 沒有就地產代理涉嫌行為失當採取行動（21宗） Inaction on an alleged breach of conduct of estate agents (21)
2022/23	233	就涉嫌未被認可的「保證回報」項目監管不力（64宗） Ineffective control on an allegedly unauthorised "guaranteed return" project (64) 有關某物業發展項目的失實陳述（31宗） False description in relation to a property development (31)

查訊及全面調查

查訊

《條例》訂明，申訴專員如認為適當，可先進行「初步查訊」，以決定應否就投訴展開全面調查。考慮到投訴人的利益，我們以這種較快捷的初步查訊方式處理一般性質的投訴個案，而不一定進行需時較長的全面調查。我們把這種處理方式簡稱為「查訊」。

在2,112宗以查訊方式終結的個案中，我們在378宗（佔17.9%）中發現事涉機構有不足之處。有關以查訊方式終結的投訴個案的詳細統計數字，載於**附錄5**。

全面調查

投訴個案如較為複雜、涉及原則性問題、嚴重行政失當、極不公平的情況、行政體制上的流弊或程序上的缺失，或本署認為有必要對個案作更深入和全面的調查，我們會展開全面調查。

在本報告年度，申訴專員以全面調查方式終結了141宗投訴個案，其中有78宗（佔55.3%）的結論是「成立」、「部分成立」或「投訴不成立，但機構另有缺失」。當中，投訴人的不滿包括監管不力、所涉部門或機構出錯、決定錯誤，以及延誤處理個案或程序不妥。

Inquiry and Full Investigation

Inquiry

The Ordinance provides that for the purposes of determining whether to undertake a full investigation, The Ombudsman may conduct such "preliminary inquiries" as she considers appropriate. In the interest of complainants, we often use this procedure to resolve complaint cases of a general nature more quickly, without unnecessarily resorting to the more time-consuming action of full investigation. For simplicity, we call this "inquiry".

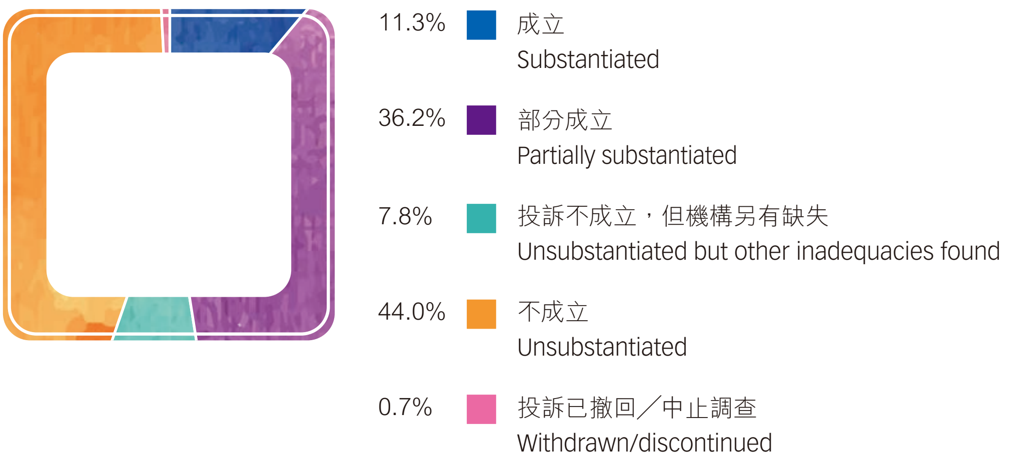
Among the 2,112 inquiry cases concluded, inadequacies were found in 378 (17.9%). Detailed statistics of complaints concluded by inquiry are given in **Appendix 5**.

Full Investigation

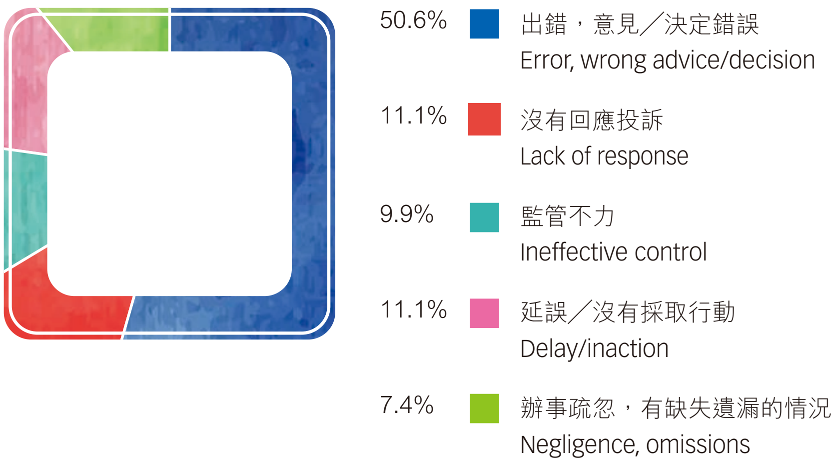
For complex cases which appear to involve issues of principle, serious maladministration, gross injustice, systemic flaws or procedural deficiencies, or simply require deeper and fuller probing, we will conduct full investigation.

In the year, we conducted 141 full investigations. 78 (55.3%) were substantiated, partially substantiated or unsubstantiated but with other inadequacies found. Various allegations were made in those complaints, including dissatisfaction about ineffective control, departments' errors, wrong decisions, delays in handling cases or their procedural deficiencies.

經全面調查終結的投訴個案結果
Results of Complaints Concluded by Full Investigation



經全面調查後確定的行政失當主要類別
Major Forms of Maladministration Substantiated by Full Investigation



本署在完成全面調查後，提出了共125項建議。截至2023年3月31日，有108項建議已獲所涉部門／機構接納並同意落實，其餘17項則尚在考慮中。

We made 125 recommendations on completion of full investigations. Among them, 108 had been accepted by the concerned departments/organisations for implementation and 17 were under consideration as at 31 March 2023.

經全面調查後終結的個案索引載於**附錄6**。

An index of cases concluded by full investigation is in **Appendix 6**.

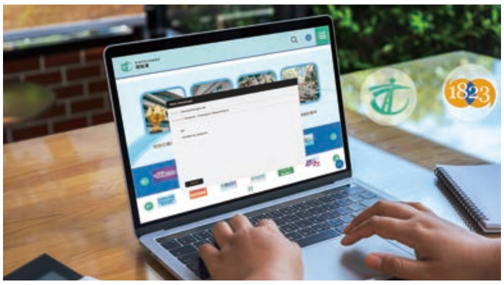
下文載列經全面調查後終結的個案撮要選錄。

Summaries of selected cases concluded by full investigation are as follows.

各報告全文可於本署網頁瀏覽
All the full reports are available on our website
www.ombudsman.hk

中文 ENG

效率促進辦公室轄下1823及運輸署
1823 managed by Efficiency Office and Transport Department



效率辦及運輸署	投訴不成立，但機構另有缺失
EO & TD	Unsubstantiated but other inadequacies found

在疫情期間就處理市民電郵的安排

效率促進辦公室（「效率辦」）轄下1823因疫情於2022年2月22日公布自2月23日起暫停處理市民給運輸署等部門的電郵。投訴人於2月22日電郵1823等部門，建議部門在1823暫停處理電郵期間自行處理其部門的電郵。但投訴人於4月6日給運輸署的電郵，仍收到由1823系統發送的自動回覆，表示不會處理。投訴人不滿1823未能與運輸署就處理市民的電郵作出妥善安排。

本署調查發現，在疫情高峰期時各部門均面對疫情所帶來的查詢急升及人手限制的壓力，運輸署及1823當時已盡力提供其他途徑供市民向運輸署提出查詢。1823及運輸署亦已透過其網頁及新聞公告等告知市民停收電郵安排及向運輸署查詢的其他途徑。

然而，本署認為1823應與運輸署修訂其系統發送的自動回覆，說明運輸署的其他查詢途徑，而不是單單重複1823暫停處理電郵。此外，1823在回覆投訴人2月22日的查詢中，沒有說明運輸署已拒絕自行處理電郵的建議，以致投訴人誤會運輸署會處理他4月6日的電郵。

Arrangements for handling public email during the epidemic

In view of the epidemic, 1823 under the Efficiency Office ("EO") announced on 22 February 2022 that starting from 23 February, it would suspend the service of handling emails from the public directed to government departments, including the Transport Department ("TD"). On 22 February, the complainant emailed 1823 and relevant departments, suggesting that the latter handled emails from the public by themselves during the service suspension period. On 6 April, the complainant emailed TD but only received an auto-reply generated by the 1823 computer system indicating that his message would not be handled. The complainant was aggrieved that 1823 had failed to work out with TD proper arrangements for handling emails from the public.

Our investigation found that at the height of the epidemic, all government departments faced the pressure brought about by a surge in enquiries and manpower constraints. TD and 1823 had made every effort to provide alternative means for the public to raise enquiries to TD. Both of them had informed the public through website announcements and press releases of the suspension of email handling service, and other alternative means to raise enquiries to TD.

Nevertheless, we considered that 1823 and TD should revise the auto-replies sent out through computer systems to explain clearly the alternative means of raising enquiries with TD, instead of repeating the fact that 1823 had suspended its email handling service. Besides, 1823's reply to the complainant's enquiry on 22 February failed to state clearly that TD had rejected his suggestion that the Department should handle emails from the public itself. The complainant, therefore, misunderstood that TD would handle his email dated 6 April.

向效率辦及運輸署提出的建議

- 指示1823，須向查詢者提供清楚準確的資料及回覆

Recommendation to EO & TD

- Instruct 1823 to provide clear and accurate information and replies to enquirers

屋宇署
Buildings Department



對顧問公司及承建商進行強制驗樓計劃修葺工程的監管

投訴人不滿屋宇署沒有妥善監管其承建商在她居住的大廈進行的強制驗樓計劃修葺工程，引致工程嚴重延誤。

本署調查發現，所有修葺工程應在搭建棚架後進行。但鑑於事涉大廈所在位置路面及周遭環境的狀況，令施工初期無法運送棚竹，以及新冠疫情對建造業的影響，本署認為工程延誤雖不理想，但屬可以理解。不過，屋宇署的顧問公司即使知悉承建商就運送棚竹遇上困難，仍只讓承建商獨自面對問題而未有主動了解、提供協助，或建議補救方案。同時，屋宇署未有在工程停滯不前時，敦促顧問公司採取切實可行的方法解決承建商面對的困難，或介入並提供實質協助。本署認為，屋宇署在監管顧問公司和承建商的表現及跟進工程進度上欠積極。

當調查結束時，屋宇署已推出多項改善措施以加強監管，例如增加顧問公司須提交的月度報告書的內容、新增抽樣審查、加強在職培訓以便職員主動協助承建商應對較難處理的情況等。

屋宇署 BD	部分成立 Partially Substantiated

Monitoring of repair works by consultant and contractor under the Mandatory Building Inspection Scheme

The complainant was discontented with the Buildings Department's ("BD") failure in promptly monitoring its contractor's execution of the repair works under the Mandatory Building Inspection Scheme at her residential building, resulting in severe delay in the repairs.

Our investigation revealed that all repair works should have been carried out following the erection of bamboo scaffolding. However, given the road conditions and the surroundings of the building, which made the transportation of bamboo poles at the initial stage of the works impossible, and the impacts of COVID-19 on the construction industry, we consider the delay of repairs understandable, though undesirable. That said, BD's consultant, after learning of the contractor's difficulties in taking the bamboo poles to the site, failed to figure out the contractor's limitations, offer assistance, or propose remedies, thereby leaving the contractor to cope with the problem alone. Simultaneously, when the works progress stagnated, BD did not urge the consultant to implement practical and feasible measures to resolve the problem facing the contractor, or step in with specific assistance. We consider BD's monitoring of the performance of the consultant and the contractor, and the works progress passive.

Upon conclusion of this investigation, BD introduced various improvement measures to step up monitoring, like requiring beefed-up content in the consultant's monthly progress reports, conducting random inspections, enhancing on-the-job training for staff to assist contractors' handling of trickier situations, etc.

衛生署
Department of Health



誤把某住宅大廈納入2019冠狀病毒病染疫名單

投訴人向衛生署投訴，該署誤把其居住村屋納入《過去14天內有嚴重急性呼吸綜合症冠狀病毒2的陽性檢測個案曾居住的住宅大廈名單》（「《名單》」），但衛生署沒有回應其投訴。

本署調查發現，衛生署職員於個案平台系統錯誤輸入資料，導致《名單》出錯。該署並因第五波疫情嚴峻，工作繁忙，於確診個案的報告日期起計第11日才把資料上載到《名單》中，直至本署查訊始發現犯錯。

本署認為衛生署的失誤及延誤嚴重，既影響個案追蹤及監察，亦影響有關人士的生活。該署亦無適時、恰當地處理投訴，錯失了盡快糾正錯誤的機會。本署建議衛生署檢視及改善輸入資料的程序，安排抽查相關資料，以提升效率及資料的準確程度，並適時按需求檢視跟進及回覆市民查詢及投訴的相關安排。

衛生署	部分成立
DH	Partially substantiated

Mistakenly putting a residential building on the list of buildings with infection cases of COVID-19

The complainant complained to the Department of Health ("DH") about the latter's mistakenly putting the village house where he resided on the List of buildings resided by Cases Tested Positive for SARS-CoV-2 Virus in the past 14 days ("the List"). Allegedly, DH did not respond to his complaint.

Our investigation revealed that DH staff had input the incorrect information to the case platform, thus resulting in the error on the List. Moreover, as DH had been coping with the heavy workload amid the fifth wave of COVID-19, the information was only added to the List and uploaded on the 11th day after the confirmed case concerned was reported. It was not until we commenced our preliminary inquiry that DH became aware of the error.

In our view, the error and delay in question were serious which affected the tracking and monitoring of cases as well as the daily life of the persons concerned. Failing to promptly and properly address the complaint, DH had also missed the opportunity to rectify the error quickly. We recommend that DH review and refine the procedures for data entry and arrange for random checks on the relevant information to improve efficiency and information accuracy and make timely review of the arrangements for following up on and replying to public enquiries and complaints.

向衛生署提出的建議

- 檢視輸入確診個案資料的程序，進一步提升效率
- 考慮加入抽查資料的程序，提升資料的準確程度
- 檢視處理投訴的安排，加強職員培訓，提醒職員務必仔細審閱投訴及準確回覆投訴人

Recommendations to DH

- Review the procedures for data entry of confirmed cases to improve efficiency
- Consider including random checks in the procedures to enhance information accuracy
- Review the arrangements for handling complaints and strengthen staff training to remind staff to examine complaints carefully and reply to the complaints accordingly

衛生署
Department of Health

衛生署	成立
DH	Substantiated

向新冠病毒感染人士簽發隔離文件的不足之處

投訴人向衛生署呈報她五名家庭成員的新冠病毒測試陽性結果以取得隔離文件，並多次以電郵和電話與不同的熱線中心聯絡。她投訴衛生署延誤發出隔離文件、文件上的名字拼寫錯誤，以及各熱線中心欠缺協調。

本署調查發現，在投訴人家人提供了全部所需資料後，衛生署花兩星期才發出隔離文件，再隔九天才更正名字和發出正確文件，部分原因是不同熱線之間缺乏協調。該署解釋，在第五波疫情期間，收到大量查詢和要求，無法及時處理；而名字拼寫錯誤是源於職員在電腦系統輸入資料時出錯。

本署理解衛生署在疫情期間面對繁重的工作和巨大的壓力，但廣大市民同樣在忍受着疫情的影響及承受着疫情帶來的壓力和挑戰。工作量不能成為衛生署在本案中嚴重出錯和延誤簽發有關法律文件的辯解。該署簽發隔離文件的工作流程和程序欠缺成效，以致多次處理同一案件和重複產生額外工作，造成惡性循環。

Shortcomings in issuing isolation documents to COVID-19 infected persons

The complainant reported positive result of COVID-19 tests to the Department of Health ("DH") for her five family members for obtaining isolation documents and had a number of email and call exchanges with different call centres. She complained that DH delayed in issuing the isolation documents and wrongly spelt the names on the documents, and the call centres lacked coordination.

Our investigation found that after the complainant's family provided all the required information, DH spent two weeks to issue the isolation documents and nine more days to amend the names and issue the correct documents partly due to the lack of coordination among different hotlines. DH explained that it received large number of enquiries and requests during the fifth wave of the pandemic and the department was unable to handle them in a timely manner. The wrong spelling in the names was due to the staff's typographical mistakes when manually inputting the data into the computer system.

While we understand that DH was facing a heavy workload and under immense pressure during the pandemic, the general public was also enduring the pandemic and suffering from the pressure and challenges brought about by the pandemic. Workload could not justify the significant error and delay in issuing the legal documents in this case. The relevant workflow and procedures of issuing isolation-related documents were ineffective, which resulted in multiple handling of the same case and re-generation of additional workload in a vicious cycle.

向衛生署提出的建議

- 將簽發隔離文件的步驟簡化及／或自動化
- 在簽發文件前反覆核實資料
- 簡化熱線中心轉介的程序
- 加強宣傳各熱線的功能

Recommendations to DH

- Streamline and/or automate steps of issuing the isolation documents
- Cross check the work before issuing the documents
- Streamline the procedure of referral from the hotlines
- Enhance publicity of the function of the respective hotlines

衛生署
Department of Health



確診人士同住家人的申報及簽發檢疫文件處理不當

兩名投訴人投訴衛生署職員就2019冠狀病毒病確診人士的同住家人如曾確診是否仍須向當局申報的回覆錯誤及前後不一。此外，該署辦事疏忽，多次向她們發出錯誤的檢疫文件。

本署調查顯示，本個案的問題源於「2019冠狀病毒快速抗原測試陽性結果人士申報系統」（「快測申報系統」）指確診人士無需申報曾確診的同住家人時，並無訂明家人的確診時限（即當時確診或之前90天內曾確診方無需申報）；當時衛生署2019冠狀病毒病專題網站未有相關資訊，接聽市民電話的職員提供的資訊亦不一致。兩名投訴人在確診家人申報其個案後超過一個月的時間內，不斷向衛生署提出查詢及投訴，最終才獲發正確的密切接觸者紀錄，除對兩名投訴人造成不便和影響外，亦令1823和衛生署職員徒添工作。本署認為，有關失誤極不理想。

本署欣悉，因應這宗投訴，衛生署更新了快測申報系統及2019冠狀病毒病專題網站上的指示和資訊。

衛生署 DH	成立 Substantiated

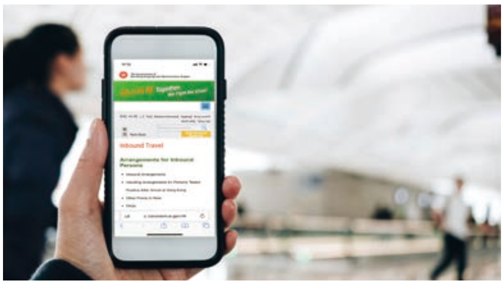
Improper handling of the declaration and issuance of quarantine documents of household members of confirmed patients

The complainants alleged that the Department of Health ("DH") had provided them with incorrect and inconsistent information on whether COVID-19 patients were required to declare their household members who had previously been infected. In addition, DH was negligent to have sent multiple wrong quarantine documents to the complainants.

Our investigation revealed that the problem of this case stemmed from the fact that the "Declaration System for Individuals Tested Positive for COVID-19 Using Rapid Antigen Test" ("Declaration System") remarked that COVID-19 patients were not required to report their household members who had previously been infected without specifying the time period of the infection (which was at the time of reporting or in the 90 days before). The information was not available on the COVID-19 Thematic Website at the time; and the information provided by the hotline staff were inconsistent. The complainants had to keep making enquiries and complaints to DH for over a month after their family member had reported his/her case before they were finally provided the correct records of close contact. We consider the error highly undesirable.

We are pleased to note that in response to this complaint, DH had updated the instructions and information on the "Declaration System" and the COVID-19 Thematic Website.

衞生署
Department of Health



外籍家庭傭工的入境檢疫及檢測的資訊發放工作

投訴人稱，外籍家庭傭工（「外傭」）收到的有關最新入境檢疫及檢測要求的訊息、文件和2019冠狀病毒病專題網站上的相關資訊均只有中英文版本。此外，投訴人認為政府經常更新防疫抗疫措施，衞生署沒有足夠和有效提醒外傭相關的檢測要求。

本署的調查結果顯示，衞生署已透過多個渠道通知及提醒外傭有關強制性檢測的規定及安排，當中並無行政失當。本署欣悉，衞生署及勞工處每次在政府調整入境強制檢疫規定後，均以外傭常用的語言向其提供最新資料。然而，這宗投訴反映政府與外傭之間可能在傳遞和接收訊息間存在差距。鑑於當時入境檢測要求複雜且更新頻繁，衞生署應以更簡單直接的方式傳達關鍵信息，以方便公眾理解，特別是這些措施的目標群組。

衞生署	不成立
DH	Unsubstantiated

Dissemination of information of the latest quarantine and testing requirements for foreign domestic helpers

The complainant alleged that the messages and documents foreign domestic helpers ("FDHs") received about the latest quarantine and compulsory testing requirements and the relevant information on the COVID-19 Thematic Website were all in Chinese and English. Also, in view of the frequently changing anti-epidemic measures of the Government, there were insufficient and ineffective reminders for FDHs about those requirements.

Our investigation revealed that the Department of Health ("DH") had used various means to inform and remind FDHs about the compulsory testing requirements and we see no evidence of maladministration on the part of DH. We appreciate the effort spent by DH and the Labour Department in providing information on updated inbound control measures in languages commonly understood by FDHs each time after the Government adjusted the compulsory testing requirement. However, this complaint reflected that there had probably been communication gaps between the Government and FDHs. In view of the then complicated and frequently updated compulsory testing requirements, DH should communicate the key messages in a simple and direct way to facilitate understanding by the general public, and in particular the target group of those measures.

衛生署及政府資訊科技總監辦公室
Department of Health and Office of the Government Chief Information Officer



衛生署 DH	成立 Substantiated
資科辦 OGCIO	不成立 Unsubstantiated

將市民的「安心出行」應用程式（「安心出行」）內儲存的「疫苗通行證」誤轉為紅色二維碼（「紅碼」）

投訴人女兒不曾確診2019冠狀病毒病，但儲存在其「安心出行」內的「疫苗通行證」卻轉為紅碼，顯示她為確診人士。投訴人與部門跟進，數日後恢復為藍色二維碼（「藍碼」），但仍錯誤顯示她曾受感染。

本署調查發現，事件源於社區檢測站職員的人為失誤，錯誤輸入檢測人士的資料，而衛生署職員先後兩次發現資料異常時，未有適當處理。衛生署職員在初次發現異常時，未有仔細比對資料，便將確診者的姓名更改為投訴人女兒的姓名，導致出現紅碼；該署另一職員在翌日發現錯誤，雖已更新確診者名單，修正為藍碼，但未有呈報事件作特別處理，以致程式仍顯示為曾受感染。本署認為，有關失誤嚴重。政府在「疫苗通行證」加入紅碼，以更準確管制確診者不得進入適用處所。當時「疫苗通行證」觸及市民日常生活的幾乎所有層面，未能滿足相關要求，會對市民造成重大影響。

Mistakenly changing a member of the public's "Vaccine Pass" stored in the "LeaveHomeSafe" mobile application ("LHS") to Red Code

The complainant's daughter was not diagnosed with COVID-19, but her "Vaccine Pass" stored in the LHS was changed to Red Code, indicating her as infected. After the complainant followed-up with relevant departments, her Vaccine Pass was restored to Blue Code a few days later, but still mistook her as having had an infection.

Our investigation revealed that the incident was caused by a human error on the part of the staff of a Community Testing Station, who inputted the information of a tested person incorrectly, staff of the Department of Health ("DH") found anomalies in the data and failed to deal with them properly on two occasions. When the anomalies were first discovered, staff of DH only changed the name of the confirmed patient to that of the complainant's daughter without carefully cross-checking the information, causing the Red Code. Another DH staff member discovered the error on the following day and updated the list of confirmed patients and restored the Blue Code but did not report the incident for any special handling, resulting in the erroneous record of infection. We consider the error serious. The addition of Red Code in Vaccine Pass is for more precise control on confirmed patients preventing them from entering the scheduled premises. As the Vaccine Pass at that time touched almost every aspect of people's daily life, failure to meet the requirements would have a significant impact on the members of the public.

教育局
Education Bureau



於2019冠狀病毒病疫情期間恢復全日面授課堂的安排

投訴人指教育局在疫情期間，在恢復全日面授課堂及課外活動方面無理為本地學校及國際學校訂定不同要求。

教育局解釋，疫情嚴峻時，所有面授課堂及課外活動均須暫停；當疫情緩和，該局會因應各類學校的情況作出安排。非本地課程私校（包括國際學校）運作模式與本地學校不同，例如非本地課程私校的學生透過互動課堂及小組討論／活動／實驗等學習知識及接受評核，學習進程必須維持，以確保隨時返回原居國家繼續學業的學生能順利過渡。該些學校的校舍亦有較大空間實施額外預防措施，故該局容許學校申請恢復全日面授課堂。相關政策及措施是經諮詢學界及持份者後制訂。本地學校及非本地課程私校的課外活動安排則一致。

教育局強調該局考慮了學校實施額外社交距離措施的能力及學生的學習需要。本署並無理據質疑該局的判斷，但認為該局在向公眾解釋制訂不同要求背後所持的理據方面有改善空間。

教育局 EDB	不成立 Unsubstantiated

Education Bureau's arrangements for resumption of full-day face-to-face classes during the COVID-19 epidemic

The complainants complained against the Education Bureau ("EDB") for unreasonably having different requirements for local and international schools to resume full-day face-to-face classes and extra-curricular activities during the COVID-19 epidemic.

EDB explained that when the epidemic was rampant, all face-to-face classes and extra-curricular activities were suspended. When it eased, it made arrangements based on the circumstances of individual types of school. Private Schools Offering Non-Local Curriculum (including international schools) operated differently from local schools. For instance, their students learnt and were assessed by engaging in face-to-face interactive and group discussions or activities, experiments, etc. Such learning momentum needed to be maintained to ensure smooth transition for students who may return to their home countries at any time. In addition, their campuses usually had more space to implement additional precautionary measures. As such, they were allowed to apply for resumption of full-day face-to-face classes. Such policies and measures were formulated in consultation with the school sector and other stakeholders. Extra-curricular activities arrangements had been the same for both types of schools.

EDB emphasised that both the capabilities to implement additional social-distancing measures and the learning needs of students had been taken into consideration. We have no grounds to dispute EDB's judgement but consider there is room for clearer dissemination of information to the public concerning the rationale behind the different requirements.

向教育局提出的建議

- 因應學生需要、持份者意見及疫情變化，定期檢討復課準則
- 改善資訊發放及對查詢的回應，以便公眾清楚理解該局就不同類別學校訂定不同要求背後所持的理據

Recommendations to EDB

- To constantly review the class resumption criteria in consideration of students' needs, the stakeholders' views and the changing situation of the epidemic
- To improve the dissemination of information and its response to queries so that the rationale behind the differences in requirements for different types of schools could be more comprehensively understood

機電工程署
Electrical and Mechanical Services Department



機電署	部分成立
EMSD	Partially substantiated

對電力安全舉報的處理

投訴人參與某非政府機構服務中心的裝修工程時，發現電力工程有安全問題，遂向機電工程署（「機電署」）舉報。該署指由於未能入內視察，亦沒有相關電力裝置的照片，故認為沒有足夠證據證明有人違反電力相關法例，然後結案。投訴人其後自行進入中心拍照交予該署參考，該署始重新跟進個案。投訴人質疑機電署對上述電力工程的驗收工作有遺漏。他亦不滿該署在要求他錄取警誡供詞後才立案調查，以及沒有適當跟進其舉報。

機電署澄清，該署並不負責驗收電力工程，根據《電力條例》，有關工作應由註冊電業承辦商委聘註冊電業工程人員進行；另外，為投訴人錄取警誡供詞前，該署實已立案處理其舉報。惟本署調查亦發現，機電署起初的調查流程及結案決定欠穩妥，包括收到舉報後不曾嘗試到場視察，以及沒有跟進不獲回覆的「檢查電力裝置通知書」。幸得投訴人鍥而不捨地跟進，該署最終才得以發現及糾正違規的電力裝置。此外，該署亦沒有按指引適時書面回覆投訴人調查結果。

Handling of a report of electrical unsafety

The complainant participated in the renovation of a non-governmental organisation's service centre and discovered safety hazards in the electrical work. He filed a report with the Electrical and Mechanical Services Department ("EMSD"). As EMSD could not gain entry into the centre for inspection and no photograph of the electrical installation was available, EMSD considered the evidence insufficient to substantiate any breach of electricity regulations and closed the case. Later, the complainant entered the centre of his own accord to take photographs and provided them to EMSD, which led to further investigation. The complainant queried that there were omissions in EMSD's inspection of the electrical work. He also alleged that EMSD had refused to investigate until he provided a cautioned statement, and failed to handle his report properly.

It has been clarified that the inspection of electrical work is not EMSD's responsibility, but that of registered electrical workers engaged by registered electrical contractors as required by the Electricity Ordinance. Moreover, EMSD had indeed initiated the investigation before the complainant provided the cautioned statement. However, our investigation revealed that EMSD's initial investigation process and decision to close the case were unsound, as it had not attempted to conduct a site inspection upon receipt of the complainant's report or pursued the unanswered Notice to Inspect Electrical Installation. Fortunately, with the complainant's continued efforts, EMSD eventually managed to discover and rectify the non-compliant electrical installation. Furthermore, EMSD failed to promptly issue written replies to the complainant in accordance with its guidelines.

向機電署提出的建議

- 提醒職員嚴格按照指引處理電力安全舉報
- 檢視指引，考慮加入發出「檢查電力裝置通知書」後的跟進程序

Recommendations to EMSD

- Remind staff to comply with the guidelines stringently when handling reports of electrical unsafety
- Review the guidelines to consider adding follow-up actions after issuing the Notice to Inspect Electrical Installation

環境保護署、規劃署、地政總署及屋宇署
Environmental Protection Department, Planning Department, Lands Department and Buildings Department



環保署 EPD	不成立 Unsubstantiated
規劃署 PlanD	不成立 Unsubstantiated
地政總署 LandsD	部分成立 Partially substantiated
屋宇署 BD	不成立 Unsubstantiated

對某塑膠回收場的違規問題的執管

投訴人指某塑膠回收場造成空氣污染，並且涉及違例發展、佔用政府土地及違規搭建上蓋等問題。他向相關部門投訴後，問題仍然持續。

本署調查顯示，環境保護署（「環保署」）已按相關法例跟進個案，並曾檢控造成空氣污染的塑膠回收場營運商。此外，規劃署經實地視察和檢視相關記錄後認為事涉地點不涉及違例發展的判斷，沒有不合理之處。

至於對地政總署的投訴，本署發現其轄下某前分區寮屋管制辦事處未有應負責跟進個案的分區地政處的要求，提供事涉地點的相關記錄，致使個案的處理工作停滯不前。此外，事涉的分區地政處亦疏於跟進個案。

屋宇署則在收到投訴後有按其執法政策跟進個案，隨後已向相關地段的業主發出清拆令；惟本署仍建議該署檢視其相關工作有否可改善的空間。

Enforcement against the irregularities of a plastics recycling site

The complainant alleged that a plastics recycling site had been causing air pollution and had other irregularities such as unauthorised development, occupation of Government land and construction of an unauthorised cover. The problems persisted despite his complaints with the relevant departments.

Our investigation revealed that the Environmental Protection Department ("EPD") had followed up on the case in accordance with the relevant legislation and taken prosecution action against an operator of the plastics recycling site for causing air pollution. Besides, the Planning Department ("PlanD")'s judgement that there was no unauthorised development in the subject location after its inspections and examination of relevant records was not unreasonable.

As regards the complaint against the Lands Department ("LandsD"), we found that the former regional Squatter Control Office under it had failed to accede to the District Lands Office's request for the subject location's records, causing a lack of progress of the case, and the District Lands Office had also been slothful in following up on the matter.

The Buildings Department ("BD") had handled the case in accordance with its enforcement policy after receiving the complaint. It had subsequently issued a removal order to the relevant lot owner. That said, we still recommended that BD see whether there was room for improvement in its relevant work.

向地政總署提出的建議

- 提醒轄下各辦事處日後應盡快回應其他辦事處的查詢；如有需要，應及早將問題提升至更高層級處理
- 採取措施防止事涉地點的政府土地再被佔用
- 積極檢視有否足夠證據，或如有需要及可能的話，繼續搜集證據，以找尋可向相關佔用人提出檢控的機會

Recommendations to LandsD

- To remind its offices to promptly respond to the enquiries from other offices and escalate the problem to higher level of management at an early stage if necessary
- To take measures to prevent the Government land in the subject location from being occupied again
- To examine or collect evidence for considering prosecuting the occupier(s) of the subject Government land

向屋宇署提出的建議

- 檢視其就正在施工中的違例建築工程的跟進效率是否有可改善的空間
- 當視察人員未能成功進入懷疑有須予取締僭建物的地段時，考慮是否可以借助航拍機或其他輔助工具協助調查

Recommendations to BD

- To review the efficiency of its handling of unauthorised building works in progress
- To consider investigating cases with the assistance of drones or other suitable tools when the location of the unauthorised building works is not accessible

食物環境衞生署
Food and Environmental Hygiene Department

食環署 FEHD	部分成立 Partially substantiated

對無牌食肆的執管

投訴人指某食肆無牌經營多年，食物環境衞生署（「食環署」）雖有檢控該食肆，但沒有向法庭申請命令封閉該食肆。此外，該署沒有回覆投訴人2021年5月的查詢電郵。

本署調查顯示，該署曾先後兩次考慮是否向法庭申請封閉令，但在等候其他政府部門提供資料期間，該署接獲不同申請人就事涉處所提出食物業牌照申請，遂擱置考慮申請封閉令。本署認為，該署在處理新的牌照申請期間並無理據因先前申請人的違規行為向法庭申請封閉令。但本署發現，該署職員未有按工作指引備存巡查事涉處所的記錄、涉嫌未有按指引每星期巡查及檢控於事涉處所違規經營的食肆、相關政府部門久未回覆亦沒有再作跟進，以及該署不同組別之間的通報機制有改善空間。

該署承認未有具體回覆投訴人2021年5月的查詢，並為此致歉及訓示有關人員改善。

Enforcement action against the operation of unlicensed restaurant

The complainant alleged that an unlicensed restaurant had operated for many years but the Food and Environmental Hygiene Department ("FEHD") had failed to apply for a Closure Order ("CO") against it. Moreover, FEHD had failed to reply to the complainant's email enquiry of May 2021.

Our investigation revealed that FEHD had twice considered to apply for a "CO". While awaiting other government departments' information, FEHD received new applications for restaurant license in respect of the same premises from different applicants. It therefore set aside the application for CO. We consider FEHD to have no basis to apply for a "CO" due to irregularities committed by the previous applicant whilst processing new applications. However, we found that FEHD staff had not followed its guidelines to keep inspection records or to inspect and prosecute the unlicensed restaurant on a weekly basis. They had also failed to follow up with the relevant government departments for the information requested when the latter had not responded for a long time. There was also room for improvement in the mechanism of internal communication between different sections of FEHD.

FEHD admitted to its failure in giving a substantive reply to the complainant's enquiry of May 2021. FEHD apologised to the complainant and instructed the staff to improve performance.

向食環署提出的建議

- 加強內部監督，確保職員按指引履行職責和妥善備存記錄
- 與其他政府部門跟進有關索取資料的情況，加強協調，使部門能適時回覆有關要求。若未獲適時回覆，須主動向有關部門跟進
- 定期檢討內部通報機制，確保牌照資訊管理系統達到預期的效果
- 提示職員適時回覆市民的查詢

Recommendations to FEHD

- Strengthen internal supervision to ensure that staff perform their duties according to guidelines and keep records properly
- Enhance collaboration with other government departments in following up on requests for information, so that the latter can respond in a timely manner. Take follow-up action with the departments if they have not responded promptly to the requests
- Review internal communication mechanism regularly to ensure that the enhanced licence information management system can achieve the desired results
- Remind staff to learn from this case and respond to public enquiries in a timely manner

前食物及衞生局
The then Food and Health Bureau



向長者派發檢測包的安排欠妥

投訴人投訴前食物及衞生局（「食衞局」）註向長者派發快速抗原測試套裝（「檢測包」）的安排混亂，且沒有提供詳情。

本署調查發現，當局負責制定相關政策及統籌派發安排，實際派發的工作由參與部門／機構及長者服務單位制定及執行。各服務單位的服務種類和對象各有不同，當局容許服務單位按各自情況，決定派發的細節。本署認為做法合理。然而，本署留意到，部分服務單位須待物流公司每次確認分發檢測包的日期，以致未能更早作準備及預先通知長者。

此外，當局認為由服務單位各自制定發放資訊的安排較為合適。本署認為，長者須先作查詢或親身前往該些服務單位，才會知悉當日有否檢測包派發。這除了對長者及家人造成不便，亦會增加服務單位的額外工作，並可能對服務單位的日常服務造成影響。

食衞局 FHB	部分成立 Partially Substantiated

Confusing arrangement for the distribution of RAT Kits to the elderly

The complainant complained against the then Food and Health Bureau ("FHB")Note for the confusing arrangement for the distribution of Rapid Antigen Test Kits ("RAT kits") to the elderly and the lack of detailed information.

Our investigation revealed that the Bureau was responsible for formulating the relevant policy and coordinating the distribution arrangement, while the actual distribution was formulated and implemented by the participating departments/service units. The service types and target groups varied from one service unit to another. Service units were allowed to decide on the details of distribution according to their own circumstances. We consider this arrangement reasonable. However, we note that some service units had to wait for the logistics companies to confirm the delivery date of RAT kits each time. Hence, they could not make preparation and notify the elderly in advance.

Moreover, the Bureau considered it appropriate for service units to work out their own arrangement for disseminating information. The elderly could only check for the availability of RAT kits by making enquiries or visiting the service units on the day. We consider that this would not only cause inconvenience to the elderly and their family members, but also put extra workload on the service units, which might affect their daily services.

向食衞局提出的建議

- 要求物流公司制定向各服務單位分發檢測包的固定日程表
- 與參與部門／機構檢討現行發放派發檢測包資訊的方式

Recommendations to FHB

- request logistics company to devise regular schedule for distribution of RAT kits to service units
- Review with participating departments/service units the current method of disseminating information about the distribution of RAT kits

註： 因應政府架構重組，醫務衞生局（「醫衞局」）自2022年7月開始負責上述工作。

Note: Due to the re-structuring of the Government, the Health Bureau ("HHB") has taken up the task since July 2022.

醫務衛生局
Health Bureau



涉嫌違反《預防及控制疾病條例》及其附屬規例的舉報之處理

投訴人不滿醫務衛生局（「醫衛局」）就他舉報涉嫌違反預防及控制疾病相關法例（「相關法例」）的回覆均答非所問，態度敷衍，並認為該局有推卸責任之嫌。

本署調查發現，醫衛局於2022年6月接獲投訴人有關屋苑涉嫌違反相關法例的舉報後，將個案轉交予民政事務總署跟進，獲回覆指個案不屬於他們的工作範疇。該局其後兩度回覆投訴人，籠統提供相關法例下的規定及建議他直接向相關執法部門舉報，但該局沒有釐清負責部門。

本署認為，醫衛局未有嘗試釐清此舉報職責誰屬，並將澄清所應負責的部門的責任轉交予市民，情況並不理想。該局的回覆只籠統提及一般要求，並未有回應投訴人的具體質疑；投訴人舉報的事宜發生於5月中旬，該局卻提供有關生效期為6月中旬至7月中旬的社交距離措施資料，予人答非所問之感。

醫衛局	成立
HHB	Substantiated

Handling of a report of suspected contraventions of Prevention and Control of Disease Ordinance and subsidiary legislation

The complainant was dissatisfied with the Health Bureau's ("HHB") replies regarding his report about suspected contraventions of relevant legislation on disease prevention and control ("relevant legislation"), none of which addressed his questions, and its perfunctory manner. He also criticised HHB for passing the buck.

Our investigation revealed that HHB referred the case to the Home Affairs Department ("HAD") after receiving the complainant's report in June 2022 against suspected contraventions of relevant legislation by a residential estate. HAD replied that the case was not within its purview. HHB then replied to the complainant twice, providing general information on relevant legislation and suggesting that he should file a report with the relevant enforcement agencies, but HHB did not clarify the responsible department(s).

We consider that HHB made no attempt to clarify which department(s) was/were responsible for this case. It shifted the duty of seeking clarification to a member of the public, which was unsatisfactory. Moreover, instead of responding to the query from the complainant, HHB only mentioned the general requirement in its replies. HHB also provided information on social distancing measures effective from mid-June to mid-July while the incident reported by the complainant occurred in mid-May. HHB's replies gave a perception that it was not answering the complainant's questions.

向醫衛局提出的建議

- 釐清此個案所應負責的部門，並改善日後回覆市民的查詢／舉報，正面回應及提供更為適切的資訊

Recommendation to HHB

- Clarify which department(s) should take responsibility for this case and improve its reply to public enquiries/reports in future with direct response and more appropriate information

醫務衞生局及衞生署
Health Bureau and Department of Health



圍封強檢行動安排混亂

投訴人居住的大廈於2022年2月被圍封強檢三天。投訴人不滿圍封安排混亂，她及女兒接受檢測後，確診感染2019冠狀病毒病，但當局沒有妥善跟進，包括沒有安排她們入院或入住隔離設施、沒有向她們發出隔離令／檢疫令及發放抗疫物資。

本署調查發現，圍封強檢行動由醫務衞生局負責整體管理，而負責個別圍封強檢的政策局或政府部門會在行動期間協調其他部門執行職務。當局沒有為行動中發現的確診個案的後續跟進作事前安排和特別部署，而只按一般與其他不是在圍封強檢行動找到的確診者的情況處理，即由衞生署進行流行病學調查，追蹤相關的密切接觸者、安排確診人士及其密切接觸者入院或入住隔離設施，並經醫院或隔離設施向其發出隔離令／檢疫令。就本案而言，因確診數字在短時間內急增，衞生署無法安排投訴人及其家人到隔離設施而沒有向他們發出相關的隔離／檢疫文件，亦未有人手追蹤及識別投訴人女兒的密切接觸者及無法向投訴人和其丈夫根據「居安抗疫」計劃向他們派發快速抗原測試包及安排派送電子手環。本署認為，這個案令人質疑耗費大量人力物力並嚴重影響居民的圍封強檢行動安排混亂，未能有效達到當時「早發現、早隔離、早治療」的政策方針。

醫務衞生局 **HHB**	部分成立 Partially substantiated
衞生署 **DH**	部分成立 Partially substantiated

Chaotic arrangements for the Restriction-Testing Declaration Operation

A restriction-testing declaration operation (“operation”) was conducted for three days in the building resided by the complainant in February 2022. The complainant was dissatisfied with the chaotic arrangement. She and her daughter were tested positive for COVID-19 but the authority did not follow up properly, including not arranging them to hospitals or isolation facilities, issuing isolation/quarantine orders (“orders”) and distributing anti-epidemic kits.

Our investigation revealed that the Health Bureau (“HHB”) was responsible for the overall management while each individual operation was coordinated by the responsible bureau or government department. There was no advanced or special arrangement to follow up on the confirmed cases identified during the operation. It was handled in the same way as other confirmed cases, i.e. Department of Health (“DH”) to conduct epidemiological investigation, trace the relevant close contacts, arrange admission of the persons concerned to hospitals or isolation facilities, and issue orders through the hospitals or facilities. For this case, due to a sudden surge of confirmed cases, DH was unable to arrange isolation facility for the complainant and her family, therefore no orders were issued to them; and DH did not have the manpower to trace the close contacts of the complainant’s daughter and to distribute the rapid antigen test kits and electronic wristbands to the complainant and her husband under the “StayHomeSafe” Scheme. We considered that this case raised questions about the chaotic arrangements of operations, which cost a lot of manpower and resources and seriously affected the daily life of the residents, had failed to effectively achieve the objective of the prevailing policy, i.e., “early identification, early isolation and early treatment”.

民政事務總署、運輸署及地政總署
Home Affairs Department, Transport Department and Lands Department



運輸署 TD	成立 Substantiated
地政總署 LandsD	成立 Substantiated
民政總署 HAD	部分成立 Partially substantiated

對某露天公共運輸交匯處內違例停泊單車的處理

投訴人經1823投訴某露天公共運輸交匯處內有違例停泊的單車。民政事務總署（「民政總署」）回覆，指因運輸署及地政總署尚未釐清該地點的管理權責，故暫不會採取行動。投訴人不滿運輸署及地政總署遲遲未釐清權責，民政總署則沒有妥善地協調部門解決問題。

本署調查發現，就處理露天公共運輸交匯處內違例停泊的單車的權責分工，運輸署及地政總署各持己見：運輸署指該地點屬未批租或未撥用的政府土地；地政總署則指該地點是公共運輸交匯處；雙方均指對方應負責處理違泊單車問題。就以上分歧，雙方僅以書信往還方式重申立場，而沒有尋求解決辦法，亦沒有先處理違泊單車問題，以減低對市民的影響。調查亦發現，民政總署作為統籌部門，雖有介入協助處理問題，但在協調過程中不夠積極果斷。

Handling illegally parked bicycles at an uncovered Public Transport Interchange

The complainant lodged a complaint with 1823 about the illegally parked bicycles at an uncovered Public Transport Interchange ("PTI"). The Home Affairs Department ("HAD") responded that no action could be taken as the Transport Department ("TD") and the Lands Department ("LandsD") had yet to delineate the management responsibility for the location. Dissatisfied, the complainant complained to this Office against TD and LandsD for delay in delineating the said responsibility and HAD for not properly coordinating the Departments to resolve the problem.

Our investigation revealed that TD and LandsD had both denied responsibility for handling the illegally parked bicycles at uncovered PTIs. TD claimed that the responsibility rested with LandsD as the location was unallocated/unleased government land, while LandsD argued that TD was the managing department of PTIs. The problem dragged on while the two Departments merely repeating their stances through written correspondence. They neither tried to explore ways to resolve the dissenting views nor took actions to reduce the impact of the illegally parked bicycles by removing them first. Also, we found that HAD, despite its efforts made, was far from proactive or decisive in the course of coordination.

向運輸署及地政總署提出的建議

- 盡快召開高層次會議進行磋商，若仍未能達成共識，應提交問題予相關政策局處理

Recommendation to TD and LandsD

- Arrange a senior management meeting as soon as possible to sort out the problem, and in the absence of consensus, escalate the matter to the relevant policy Bureaux for a decision

房屋局
Housing Bureau

房屋局	部分成立	
HB	Partially substantiated	

處理過渡性房屋的安排

本署接獲多宗投訴，指稱前運輸及房屋局（「前運房局」）及房屋局把某政府休憩用地作過渡性房屋用途，漠視居民對政府承諾把該用地作休憩用途的渴望；以及不當豁免成功申辦過渡性房屋項目的民間團體向城市規劃委員會（「城規會」）申請臨時用途修訂規劃許可和進行公眾諮詢。

本署調查發現，前運房局成立的過渡性房屋專責小組諮詢相關部門後確認該用地未有落實康樂及其他用途的具體時間表，會繼續閒置。該小組認為，事涉項目的發展以五年為限並附帶日後退出方案，故不會影響事涉用地的長遠發展。本署認為，前運房局和專責小組按照政府推動過渡性房屋發展的政策措施處理，以閒置的事涉用地發展短期項目，做法合理。本署亦發現，事涉項目根據城規會的決定可視為分區計劃大綱圖內經常准許的臨時用途，無須申請規劃許可及進行法定公眾諮詢。然而，前運房局網頁有關事涉項目是否需要申請規劃許可及進行法定公眾諮詢的資訊不準確，容易誤導公眾。

Handling of transitional housing projects

This Office received multiple complaints against the then Transport and Housing Bureau (“the then THB”) and the Housing Bureau (“HB”), for the utilisation of an open space (“the Site”) for transitional housing purposes and neglecting the expectations of the local residents arising from the Government’s promise to utilise the Site for recreational purpose, as well as unreasonably exempting the community organisation awarded the transitional housing project (“the Project”) from applying for amendment to planning permission for the proposed temporary use and conducting public consultation.

Our investigation revealed that, the task force on transitional housing established by the then THB (“the Task Force”) ascertained with departments concerned that detailed schedules for the provisions of recreational or other facilities on the Site concerned had yet to be drawn up and the Site would remain vacant. As the Project would last for a maximum of five years and has an exit plan, the Task Force considered that it would not affect the long- term development of the Site. This Office considers the then THB and Task Force to have handled the matter in accordance with the Government’s policy for promoting the development of transitional housing and it was reasonable to utilise the Site which was vacant for short term development. Our investigation also revealed that the Project was regarded as a temporary use always permitted under the Outline Zoning Plan. As such, application for planning permission and statutory public consultation were not required. Nevertheless, the information published on the then THB’s webpage about the requirement for applying planning permission and conducting public consultation was not accurate and could have easily misled the public.

向房屋局提出的建議

- 檢視有關公布過渡性房屋項目的資訊發放，確保資訊準確
- 繼續與居民保持良好溝通，平衡事涉項目的發展和居民對項目設計的關注

Recommendations to HB

- To review information dissemination for transitional housing projects to ensure accuracy
- To continue to maintain effective communication with residents to strike a balance between the development of the Project and the residents’ concerns about the design of the Project

房屋署
Housing Department



對租戶違規加裝晾衣架的執管

投訴人不滿在向房屋署投訴某公共屋邨多個單位違規加裝晾衣架後，有關違規問題持續，且出現新違規個案。

本署調查發現，房屋署收到投訴後有視察及向違規租戶發出「修復通知書」（「通知書」），要求在60日內糾正問題。然而，限期屆滿後，該署只口頭要求仍未遵從的租戶拆除晾衣架，並無採取進一步行動（例如發出書面警告解説沒有遵從通知書的後果）。在53戶拆除違規晾衣架後，仍有一戶沒有遵從。房屋署一方面向違規租戶發出通知書要求在指定限期前糾正問題，另一方面未有嚴正要求該仍未遵從的租戶盡快糾正問題，令人產生該署執管行動不一致的觀感，亦可能會令該名租戶甚或其他人誤以為沒有遵從通知書並無後果，令該署日後可能難以藉發出通知書有效地糾正違規行為。

房屋署 HD	部分成立 Partially substantiated

Enforcement actions against unauthorised laundry racks installed by public housing tenants

The complainant was dissatisfied that after he had complained to the Housing Department ("HD") about unauthorised laundry racks installed on the external walls of many flats in a public housing estate ("the Problem"), the Problem persisted, and new unauthorised laundry racks had appeared.

Our investigation revealed that after receiving the complaint, HD conducted inspections and issued enforcement notices to the tenants concerned, requiring them to rectify the Problem within 60 days. However, HD did not take any further action against the non-compliant tenants (such as issuing a written warning about the consequences of non-compliance with the enforcement notice). After 53 tenants had complied with the enforcement notices, one still failed to do so. While issuing enforcement notices to non-compliant tenants to require rectification, HD, on the other hand, failed to stringently demand that the remaining tenant rectify the Problem as soon as possible. It would give an impression of disparity in enforcement against the Problem. The tenant concerned and even other tenants might mistake that causing the Problem or not complying with the enforcement notice would have no consequences. As such, HD might find it difficult in future to effectively address irregularities by issuing enforcement notices to tenants.

向房屋署提出的建議

- 在有需要時盡快向遲遲未遵從通知書的租戶採取進一步執管行動，包括發出書面警告，解説不遵從的後果

Recommendation to HD

- To take further action promptly, when necessary, against non-compliance, including issuing a written warning about the consequences of non-compliance with an enforcement notice

康樂及文化事務署
Leisure and Cultural Services Department



預訂體育場地的新措施

數名投訴人稱，康樂及文化事務署（「康文署」）將訂場櫃檯及自助服務站接受預訂的時間推遲至上午7時15分開始而維持「康體通」網上預訂服務於上午7時開始的安排（「事涉安排」），對不諳使用「康體通」及排隊訂場的真正用家造成不便和不公。「康體通」於繁忙時段擠塞，而不少用作「炒場」的訂場是以電腦程式經網上平台進行，故投訴人質疑推行事涉安排的理據。

本署調查發現，康文署的分析顯示大量懷疑用作「炒場」的場地是經櫃檯或自助服務站租訂，事涉安排有助避免因不同預訂途徑需時長短不一而產生不公。事涉安排推行後，排隊訂場的人數銳減，早上7時15分後仍有大量繁忙時段受歡迎的設施可供預訂，該署亦新增「智方便」登入「康體通」以簡化步驟。本署認為，康文署在實施事涉安排前已作審慎考慮，平衡利弊，並無證據顯示當中涉及行政失當。「康體通」網絡擠塞的問題有待新系統推行才有望解決。康文署亦已採取措施應對以電腦程式於網上平台訂場的情況，從行政角度而言並無失當。

康文署 LCSD	不成立 Unsubstantiated

New measures for booking of sports venues

The complainants alleged that the Leisure and Cultural Services Department ("LCSD") had postponed the service commencement at counters and self-service kiosks to 7:15 a.m. while maintaining the 7:00 a.m. commencement time of the online booking service, "Leisure Link" ("the Arrangement"), which caused inconvenience and unfairness to those who were not familiar with using "Leisure Link" and to those genuine users who queue up for booking. "Leisure Link" was often overloaded during peak hours. Computer programmes were often used to book venues via "Leisure Link" for "touting". The complainants thus questioned the rationale of the Arrangement.

Our investigation revealed that LCSD's analysis showed that most of the suspected "touting" transactions were booked through counters or self-service kiosks. The Arrangement helps prevent unfairness resulted from the different processing time of various booking channels. After the Arrangement was implemented, the number of queuers dropped sharply. Many peak-hour sessions at popular facilities were still available after 7:15 a.m. LCSD has simplified the procedure for accessing "Leisure Link" through allowing login using "iAMSmart". We considered that LCSD had thoroughly assessed and weighed up the pros and cons before implementing the Arrangement, and there is no evidence of maladministration. The problem of system overload can only be solved when the new system is implemented. LCSD has also taken counter-measures against using computer programmes to book venues online. There is no impropriety from an administrative perspective.

郵政署和前食物及衞生局
Post Office and the then Food and Health Bureau

郵政署 PO	不成立 Unsubstantiated
食衞局 FHB	成立 Substantiated



於指定郵政局申報非本地新冠疫苗接種紀錄的安排

投訴人投訴郵政署及前食物及衞生局（「食衞局」）沒有調撥足夠資源處理大量的非本地新冠疫苗接種紀錄申報（「申報」）。他又批評預設的每日登記名額不合理，並質疑是否必須親身辦理申報。

本署調查發現，食衞局自2021年9月起委託郵政署在指定郵政局提供登記服務，初期服務運作暢順，但隨着食衞局的網上申報平台暫停服務及「疫苗通行證」的不同階段實施，登記量驟增並且大幅超出食衞局的估算。就此，郵政署要求食衞局重新啟動網上平台，惟該局拒絕。食衞局解釋要求親身辦理是為了加強申報資料的可信度。直至2022年5月底，食衞局才重新啟動網上平台。同時，郵政署亦開發網上預約系統以管理人流及增設服務櫃位。

本署認為，作為服務代理，郵政署已在其職責範圍內適當監察情況及跟進。然而食衞局就市民必須親臨郵政局申報的解釋，本署認為不合理。本署亦認為投訴人的遭遇源於網上申報平台暫停過久，該局應及早重新啟動網上平台。

Implementation of declaration of non-local COVID-19 vaccination records at designated Post Offices

The complainant complained against the Post Office ("PO") and the then Food and Health Bureau ("FHB") for deploying insufficient resources to deal with the large number of applications for the declaration of non-local COVID-19 vaccination records ("the declaration"). He also criticised that the daily quota for handling the declaration was unreasonable and questioned the necessity to complete the declaration face-to-face.

Our investigation revealed that since September 2021, FHB commissioned PO to provide registration service at designated post offices and it ran smoothly initially. However, with the suspension of the online declaration platform by FHB and the implementation of different stages of Vaccine Pass, the registration volume increased suddenly, and the traffic was much higher than FHB's estimation. PO had requested FHB to relaunch the online platform but the request was turned down. FHB explained that the requirement of face-to-face declaration aimed at giving more credence to the declaration made. It was not until end of May 2022 that FHB relaunched the online platform. In the meantime, PO developed an online booking system to manage queuing and increased the number of service counters.

As a service agent, PO had within its ambit appropriately monitored the situation and taken follow-up actions. As for FHB, we do not find its explanation for requiring face-to-face declaration reasonable and we consider the complainant's situation attributable to the prolonged suspension of the online declaration platform, which FHB should have revamped sooner.

運輸署及郵政署
Transport Department and Post Office



運輸署 TD	部分成立 Partially substantiated
郵政署 PO	部分成立 Partially substantiated

新冠病毒病疫情期間續領車輛登記文件的派遞

投訴人以郵遞方式申請續領車輛牌照。運輸署在完成處理後，指已以掛號方式把續領的車牌及車輛登記文件正本（「事涉郵件」）寄回給投訴人。然而，投訴人表示沒有收到。原來郵政署只是將有關郵件放入投訴人的郵箱，與掛號郵件的恆常派遞安排有異。運輸署要求投訴人支付額外費用以重發車牌和車輛登記文件。投訴人認為運輸署的建議僵化及不合理。他亦不滿兩署用過長的時間追查事涉郵件。

本署調查發現，郵政署因應疫情採取特別派遞安排，將掛號信件放入收件人的信箱。雖然有關安排並非不合理，但安排未必符合公眾的期望，郵政署亦應更積極地把有關特別派遞安排信息發放給市民。

運輸署職員應早意識到事涉郵件只是被放入信箱，而不是像往常派遞掛號郵件般親身派遞。至於花了長時間追查事涉郵件亦很大程度是與郵政署堅持事涉郵件已成功派遞有關。若運輸署及郵政署能更緊密地合作，運輸署應可提出更切實可行的建議或行使其酌情權早些向投訴人重發車牌和車輛登記文件。

本署欣悉，運輸署已就未收到掛號郵件的查詢／投訴制定指引，並更新相關指引以確認郵政署是否按其既定派遞方式處理郵件。

Delivery of renewed Vehicle Registration Document during the epidemic

The complainant applied through post for the renewal of vehicle licence (“VL”). After processing, the Transport Department (“TD”) sent to the complainant the renewed VL and Vehicle Registration Document (“VRD”) by registered mail (“the Mail Item”) which the complainant said he did not receive. It was found that the Post Office (“PO”) had simply put the Mail Item into his mailbox, which deviated from its normal protocol of delivering a registered mail item. To resolve the situation, TD asked the complainant to pay extra fees for the reissue of renewed VL and VRD. The complainant considered TD’s proposal rigid and unreasonable. He was also dissatisfied with the unreasonably long time TD and PO took to trace the Mail Item.

Our investigation revealed that PO had been adopting special delivery arrangements during the epidemic. Registered mail items were delivered into the addressee’s letter box. While we consider such arrangement not unreasonable, it might fall short of public expectation and PO could have been more proactive in disseminating information about various special arrangements.

TD staff could have realised that the Mail Item was only inserted into the letter box but not delivered in person as registered mail items normally were. The long time taken to trace the Mail Item was attributable to PO’s insistence that it was successfully delivered. Should TD and PO have worked more closely together, TD could have made more practicable suggestion or exercised its discretion to re-issue VL and VRD to the complainant earlier.

This Office is pleased to note that TD had drawn up guidelines for handling enquiries/complaints concerning non-receipt of registered mail, and updated guidelines to seek PO’s confirmation on whether the delivery protocols have been complied with.

重新評審個案及覆檢個案

在年度內，本署重新評審了276宗個案，其後就當中134宗個案重新展開查訊。此外，我們覆檢了102宗個案，就其中101宗個案維持原來的決定。

Re-assessment of Cases and Review of Cases

During the year we re-assessed 276 cases, with 134 cases subsequently re-opened. Moreover, we reviewed 102 cases. Conclusions were upheld for all these cases except one.

司法覆核及訴訟

投訴人如不滿意我們的決定，除了可要求本署覆檢其個案外，亦可入稟法院提出司法覆核。在年度內，法院在聆訊後判決，駁回三宗訴訟案件。

Judicial Review and Litigation

A complainant not satisfied with our conclusion may, apart from requesting a review by this Office, seek a judicial review by the court. During the year, three litigation cases against The Ombudsman were heard by the Court with judgments handed down. All were dismissed by the Court.

訴訟案件概述 **Brief description of the litigation case**	判決 **Judgement by the court**
投訴人不滿申訴專員就他對醫院管理局和法律援助署的投訴之處理，申請司法覆核許可。 A complainant applied for leave to apply for judicial review against The Ombudsman's handling of his complaints against the Hospital Authority and the Legal Aid Department.	• 原訟法庭於2021年9月駁回其申請。 The application was refused by the Court of First Instance in September 2021. • 上訴法庭於2022年7月駁回其上訴許可申請及他對法院訴訟程序提出的申請，並判申訴專員獲付有關訟費。 In July 2022, the Court of Appeal dismissed Applicant's application for leave to appeal against the Court decision and his applications against the court proceedings with costs to The Ombudsman.
投訴人不滿申訴專員以《申訴專員條例》第8條及附表2為依據不受理其投訴的決定，申請司法覆核許可。 A complainant applied for leave to apply for judicial review against The Ombudsman's decision on not taking up his complaint on the basis of section 8 and Schedule 2 of The Ombudsman Ordinance.	• 原訟法庭於2022年11月駁回其申請。 The application was refused by the Court of First Instance in November 2022. • 申請人就該項決定向上訴法庭申請上訴許可，有待法庭作出裁定。 Applicant's application for leave to appeal against the Court's decision is in progress.
投訴人就申訴專員處理其投訴時向非其投訴對象的機構查詢，申請司法覆核許可。 A complainant applied for leave to apply for judicial review against The Ombudsman's handling of his complaint by making an enquiry with an entity which was not a subject of his complaint.	• 原訟法庭於2022年12月駁回其申請。 The application was refused by the Court of First Instance in December 2022. • 申請人就該項決定向上訴法庭申請上訴許可，有待法庭作出裁定。 Applicant's application for leave to appeal against the Court's decision is in progress.

調解
Mediation

何謂調解

調解是另類排解糾紛方法，旨在快捷及和平地解決不涉及或只涉及輕微行政失當的投訴個案。

What is Mediation?

Mediation is a means of alternative dispute resolution aiming at resolving complaints involving minor or no maladministration efficiently and amicably.

調解的好處
Advantages of Mediation

快捷
Efficient

非對立
Non-adversarial

解決爭議為本
Solution-focused

達致雙贏
Win-win

調解程序
Procedures of Mediation

物色適合以調解方式處理的個案
Identify suitable cases for mediation

先徵求投訴人和被投訴機構的同意自願參與
Seek prior consent from both the complainant and the organisation under complaint for their voluntary participation

以面談、電話或線上形式舉行調解會議
Conduct mediation meeting in person, through telephone, or online

討論問題並尋求可行的解決方案
Discuss problems and explore possible options for resolution

達成雙方均接受的和解協議（如有需要，以適當形式擬備和解協議，惟協議的條款不可違反法律或導致參與機構作出涉及行政失當的決定或舉措。）
Reach a mutually acceptable settlement agreement (A settlement agreement may be drawn up in an appropriate form, where necessary, but the agreed terms must not breach the law or lead to decisions or acts of maladministration by the participating organisation.)

或
OR

調解若不成功，另派個案主任重新處理投訴
Assign another case officer to take over the complaint and examine it afresh in case of unsuccessful mediation

本署的工作表現

Our Performance

調解旨在聯繫投訴人與被投訴機構，共同尋求滿意的解決方案，從而平息紛爭，達致和諧。在調解過程中，本署首先積極物色只涉及輕微的行政失當，或不涉及行政失當的投訴個案，在確認雙方願意調解後，由我們的調解員居中調停，進行坦誠、融洽和專注於解決問題的討論，以釐清誤會，探討可行辦法並達致和解。根據過去的經驗，調解無疑是快捷有效的排解糾紛方式。在2022/23年度，本署嘗試以調解方式處理的個案共306宗，當中有305宗獲成功調解，創歷來最高。

本年度經調解後終結的305宗投訴個案中，有182宗（佔59.7%）與新冠疫情相關，主要涉及防疫抗疫基金下各項計劃的申請，以及防疫政策的各類措施。

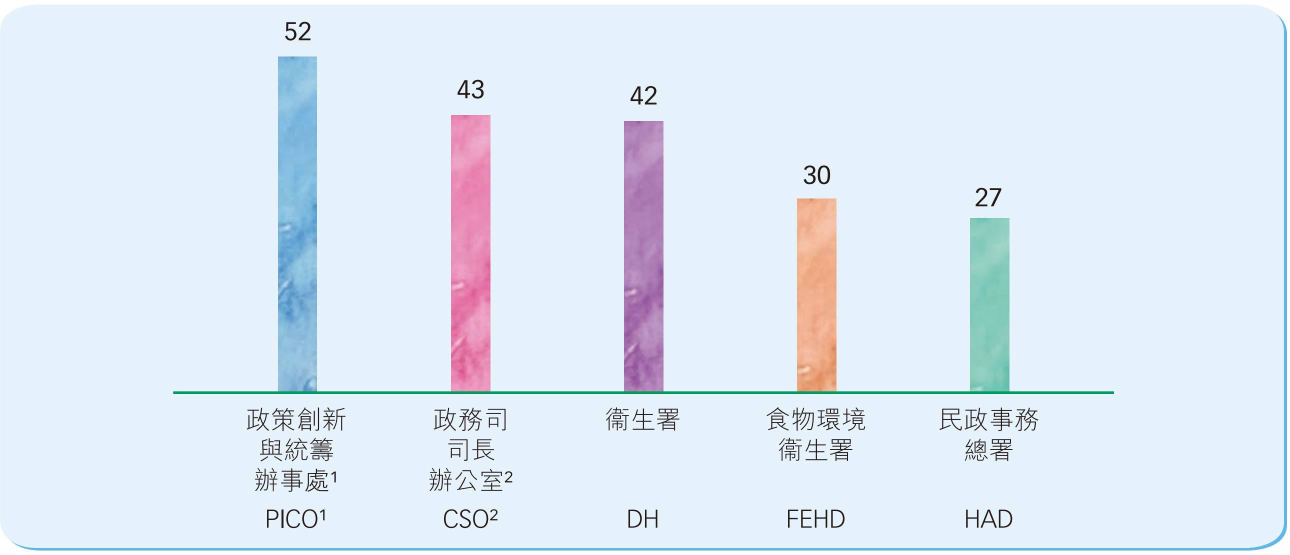
The purpose of mediation is to bring the parties concerned together to look for solutions to their satisfaction so that they can move beyond the dispute and maintain a harmonious relationship. In the process, we started off by proactively identifying cases involving minor or no maladministration, then sounding out the parties to the complaint before acting as an intermediary to facilitate a candid, amicable and solution-focused discussion such that they can clarify any misunderstanding, explore options and reach a settlement. Time and again, mediation has proven to be an effective and speedy way of complaint resolution. In 2022/23, we attempted to resolve 306 cases by mediation, of which 305 were successful – a record high.

Of the 305 complaints resolved through mediation in the year, 182 cases (or 59.7%) were pandemic-related, which concerned mainly the processing of applications for various schemes under the Anti-epidemic Fund and implementation of various anti-epidemic policies.



調解個案 **306**
Mediation Cases

最多成功調解個案的五間機構（2022/23年度）
Top Five Organisations with Successfully Mediated Cases (2022/23)



調解
Mediation

經本署的調解服務解決最多投訴的五間機構，依次是政策創新與統籌辦事處[1]（「創新辦」）（52宗，佔17%）、政務司司長辦公室[2]（43宗，佔14.1%）、衛生署（42宗，佔13.8%）、食物環境衛生署（30宗，佔9.8%）及民政事務總署（「民政總署」）（27宗，佔8.9%），其中大多是防疫政策及措施的執行部門。

The top five organisations resolving complaints through our mediation endeavours were the Policy Innovation and Co-ordination Office[1] ("PICO") (52 cases or 17%), the Chief Secretary for Administration's Office[2] ("CSO") (43 cases or 14.1%), the Department of Health ("DH") (42 cases or 13.8%), the Food and Environmental Hygiene Department ("FEHD") (30 cases or 9.8%) and the Home Affairs Department ("HAD") (27 cases or 8.9%), most of which were engaged in implementing pandemic-related policies/measures.

回顧這些個案，我們發覺調解特別適宜處理某類與疫情相關的投訴，憑藉調解員孜孜不倦地在雙方之間協調和斡旋，能夠迅速有效地解決問題，抒解不滿。

Looking back, mediation has been a particularly effective and efficient means to resolve certain categories of pandemic-related complaints as quick fixes/redress were made possible through our mediators' tireless shuttling on the heels of complaints.

創新辦、政務司司長辦公室及民政總署均負責審批防疫抗疫基金下各項計劃的申請，本年度以調解方式解決相當大量的個案，大部分涉及「臨時失業支援」計劃和「2022保就業」計劃。

PICO, CSO and HAD, which were responsible for processing applications for various schemes under the Anti-epidemic Fund, resolved a significant number of cases through mediation this year. The schemes concerned in most mediation cases are the Temporary Unemployment Relief Scheme and 2022 Employment Support Scheme.

初次參與調解的衛生署，本年度即已錄得42宗成功調解個案的佳績，顯然與該署專職落實防疫政策及措施有關，包括發出疫苗接種紀錄、檢疫令及隔離令、2019冠狀病毒病測試陽性人士紀錄、康復紀錄二維碼等證明文件。

While DH was new to our mediation, there were fruitful results with 42 successful mediation cases this year, mainly related to its significant role in implementing anti-epidemic policies/measures, such as the issuance of vaccination records, quarantine and isolation orders, records of persons tested positive for COVID-19 and recovery record QR codes.

醫務衛生局和物業管理業監管局亦屬首次參與調解。本署期望日後有更多機構嘗試以調解方式處理投訴。

The Health Bureau and the Property Management Services Authority also participated for the first time. We look forward to more organisations trying to resolve complaints by mediation.

在2022/23年度，以調解方式終結的投訴個案平均需時僅11.6天，較上年度的平均時間縮短1.8天；當中逾64%及91%的個案分別於十天及一個月內終結（在2021/22年度為54%及92%）。

In 2022/23, the average lead-time taken to resolve a complaint through mediation went further down to 11.6 days (1.8 days faster than the previous year); and over 64% and 91% were settled within 10 days and a month respectively (as compared with 54% and 92% in 2021/22).

1 於2022年6月底解散。
2 自2022年7月1日起接掌「2022保就業」計劃。

1 Dissolved at the end of June 2022.
2 Took up the 2022 Employment Support Scheme from 1 July 2022.

成功調解個案的性質（2022/23年度）
Successfully Mediated Cases by Nature of Complaint (2022/23)



讚賞

調解成功後，本署會以問卷調查方式蒐集投訴人及參與機構對本署調解服務的意見。在本年度，逾90%交回問卷的投訴人及所有參與機構均對我們的調解服務與安排及本署調解員的表現表示滿意。以下摘錄部分評語。

Compliments

Upon successful conclusion of mediation, we invited the complainants and participating organisations to provide us with feedback through our questionnaire survey. In this year, over 90% of the respondent complainants and all participating organisations were satisfied with our mediation service and arrangements and the performance of our mediators. The following are some examples of the feedback we received.

> 成功調解有賴專員願意細心了解案情，以第三者身份向市民釐清誤會之處。

> 本人對調解員的工作態度、主動熱誠，深感謝意。在此感謝他的幫助，希望事情能完滿解決。

> Very efficient service with passion. Keep Going!

> 貴署職員處理本人投訴表現積極及快捷，應受讚賞！

調解
Mediation

Mediation enhanced overall efficiency of case handling and complainants could receive relevant records promptly.

雙方溝通讓我感覺踏實及希望；透過今次貴署提供的調解，讓我周邊的朋友及同事感覺良好，增加對貴署的信任。也希望我今次投訴的政府部門能合情合理的態度來處理覆核。感謝！

沒有建議，只有稱讚。貴署同事耐心了解本人投訴的始末，迅速處理並解決我遇到的問題。這次經驗令我知道，我這種小市民也不是投訴無門。謝謝！

Mediation Service will enhance the overall efficiency for handling the case, especially that the members of public can collect the required record/certification in a short period of time.

調解人員服務態度誠懇，不偏不倚，對盡快處理紛爭有良好的幫助。為節省寶貴資源，建議貴署繼續以調解的方式處理紛爭。

樂於助人，細心解釋，對一個無助的人有幫助。

這次調解除了能夠達到我的目的，並且非常快捷。細心聆聽我的訴求及提供非常專業的意見及跟進，只需二天的時間就能解決我的問題，令我感到非常滿意，表現出色，讚讚讚。

Mediation is effective in helping the complainants and the department welcomed mediation for simple and straightforward cases.

個案跟進十分滿意，調解員表現出專業態度，可以達致大家雙贏。

Appreciated the mediator's effort to keep me informed during the process such that I could better understand what was going on at the back scene. With the support of the Ombudsman, my situation with the Bureau is resolved within a reasonable timeframe. Thank you for the assistance and service.

調解獎

本署自2018年起在申訴專員嘉許獎計劃下增設調解獎，以表揚致力參與調解的機構及他們的出色表現。

Award on Mediation

To acknowledge the participating organisations' commitment to and excellence in mediation, we have introduced an Award on Mediation in The Ombudsman's Award since 2018.

2018年得獎機構 – 房屋署
2018 – Housing Department

積極回應本署提出以調解方式處理個案的建議。
For proactive attitude towards our invitation to mediation.

2019年得獎機構 – 食物環境衞生署
2019 – Food and Environmental Hygiene Department

採取務實態度與投訴人探討解決問題的雙贏方案。
For adopting a pragmatic approach in exploring win-win solutions by jointly resolving problems with the complainants.

2020年得獎機構 – 在職家庭及學生資助事務處
2020 – Working Family and Student Financial Assistance Agency

迅速回應投訴人關注的事項，亦提出務實及具建設性的方案以解決投訴。同時，該年度以調解方式處理的個案數目顯著上升（由2018/19年度僅一宗增至2019/20年度的25宗）。
For swiftly responding to the complainants' concerns and providing pragmatic and constructive suggestions for complaint resolution in the face of a remarkable increase in complaint cases in the respective financial year (from only one case in 2018/19 to 25 in 2019/20).

2021年得獎機構 – 屋宇署
2021 – Buildings Department

以清晰淺白的用語向投訴人解釋其執法政策、程序，以至實地視察技術的細節，從而消除誤會及爭議，找出解決方法。
For explaining to complainants in clear and plain terms its enforcement policies, procedures and even technicalities in respect of in-situ inspection techniques to eliminate misunderstandings and hence shift from disputes to solutions.

2022年得獎機構 – 康樂及文化事務署
2022 – Leisure and Cultural Services Department

態度積極，迅速回應投訴人對前線運作和服務的疑問和查詢，並且樂意探討投訴人建議的方案。
For promptly and proactively responding to the complainants' enquiries and queries relating to frontline operations and services and for willingness to explore suggestions raised by the complainants.

公開資料
Access to Information

本署的職能包括就違反《公開資料守則》(「《守則》」)的投訴展開調查。

One of our functions is to investigate complaints on non-compliance with the Code on Access to Information ("the Code").

公開透明的政府

《守則》是政府採用的一套行政指引。《守則》規定其適用的所有政府部門和公營機構須慣常地或因應要求提供管有的資料,除非有《守則》載列可拒絕披露資料的理由。《守則》體現政府明白市民有需要充分認識政府及其提供的服務,以及對個人和整個社會均有影響的政策和決定的依據。

Transparent Government

The Code is a set of administrative guidelines adopted by the Government. All Government departments and public bodies to which the Code applies are required to provide information they hold routinely or on request, unless there are specific reasons under the Code to withhold it. The Code recognises the need for the public to be well informed about the Government, its services and the basis for policies and decisions that affect individuals and the community as a whole.

涉及公開資料的投訴

與公開資料有關的投訴個案分為兩類:

- 涉及《守則》涵蓋的政府部門或公營機構的投訴
- 涉及《守則》涵蓋範圍以外的公營機構的投訴

政府的統計數字顯示,被拒的索取資料要求維持在較低水平。事實上,要求被拒而向本署投訴的個案只佔少數。在本年度,本署接到涉及公開資料的投訴個案共有67宗,為過去五年最低。在已終結的71宗涉及公開資料的個案中,本署發現當中18宗(25%)有不足之處,相比2019/20年度的48%、2020/21年度的43%及2021/22年度的32%,亦屬近年最低。由此可合理推斷政府部門和公營機構對《守則》已日趨熟悉。

Complaints on Access to Information

There are two types of complaint cases related to access to information ("ATI"):

- complaints against Government departments or public bodies covered by the Code
- complaints against public organisations not covered by the Code

Government statistics show that refused information requests have been staying at relatively low levels. In fact, only a small portion of refused requests have ended up as complaints to our Office. During the year, we received a total of 67 complaints about ATI which was the lowest in the past five years. Among the 71 ATI complaints concluded, inadequacies were found in 18 cases (25%), again the lowest in recent years in comparison with 2019/20 (48%), 2020/21 (43%) and 2021/22 (32%). A reasonable inference is Government departments and public bodies have become more conversant with the Code.

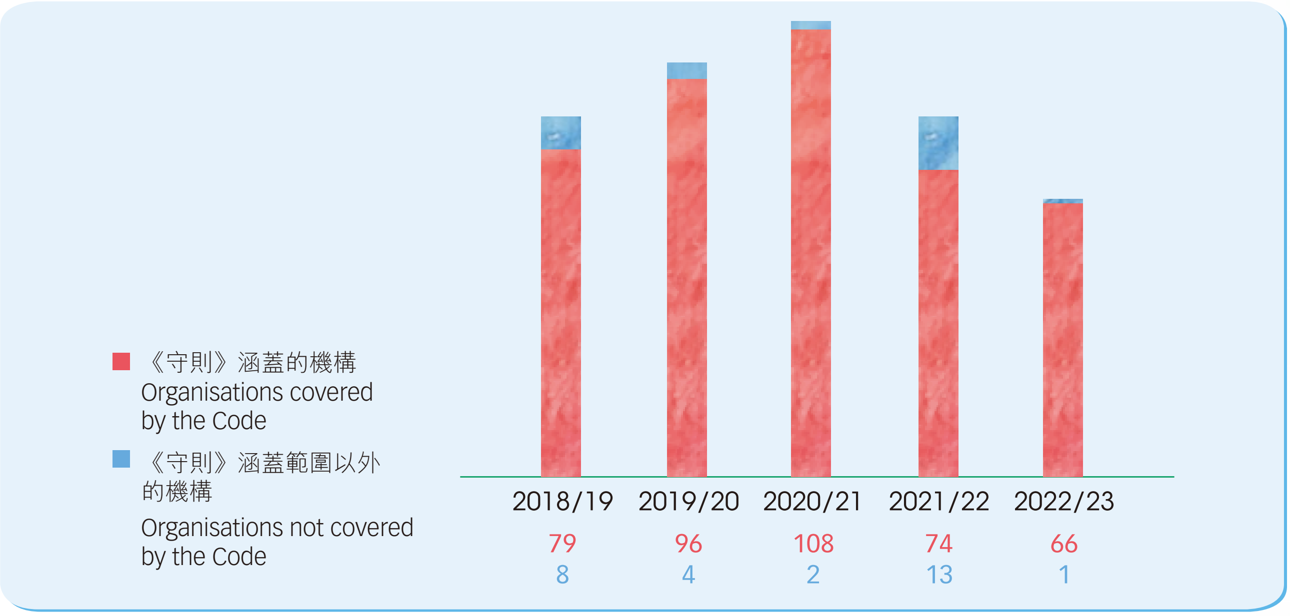
涉及公開資料的投訴(2022年4月1日至2023年3月31日期間的統計數據)
ATI Complaints (Statistics between 1 April 2022 and 31 March 2023)

		《守則》涵蓋的機構 Organisations covered by the Code	《守則》涵蓋範圍以外的機構 Organisations not covered by the Code
接到的投訴	Complaints received	66	1
已終結的個案*	Complaints concluded*	69	2

* 包括由上年度轉入的個案

* Including those carried forward from last year

過去五年涉及公開資料的投訴數目
Number of ATI Complaints in the Past Five Years



涉及公開資料的投訴中發現的不足之處數目
Number of Inadequacies Found in ATI Complaints



5 (20.8%)	超逾目標回覆時間 Failure to meet target response time
4 (16.7%)	對《守則》的條文詮釋有誤 Wrong interpretation of provision of Code
3 (12.5%)	沒有與投訴人探討修改索取資料要求的可能性 Failure to discuss with complainant the possibility of modifiying the ATI request
3 (12.5%)	沒有提供拒絕理由 Failure to provide reason for refusal
2 (8.3%)	沒有通知投訴人內部覆檢或投訴渠道 Failure to inform complainant of channels for internal review/complaint
2 (8.3%)	未能正確引用第2部的拒絕理由 Inappropriate Part 2 reason cited for refusal
2 (8.3%)	無理拒絕提供資料／阻撓索取資料 Unreasonable refusal/hindrance
3 (12.5%)	其他 Others

註1. 經四捨五入後，百分比的總計未必等如100%。
註2. 一宗投訴個案可能涉及多項不足之處。

Note 1. Percentages may not add up to 100% due to rounding.
Note 2. A complaint case may involve more than one inadequacy.

下文載列涉及公開資料的個案撮要選錄。

Summaries of selected ATI cases are as follows.

各報告全文可於本署網頁瀏覽
All the full reports are available on our website
www.ombudsman.hk

中文 ENG

教育局
Education Bureau



結論 不成立
Conclusion Unsubstantiated

拒絕提供退學人數及退學率

投訴人要求教育局提供連續三個學年的全港小學（包括私立學校）退學人數及退學率。教育局援引《守則》第2.13(a)段（如披露與不完整或未完成的分析、研究或統計有關的資料，可能會令人產生誤解），拒絕向投訴人提供資料。

本署的查訊顯示，教育局透過電子平台從學校蒐集學生資料作教育相關用途，當中收集的離校／缺課學生資料，目的是為跟進懷疑輟學個案，而非為計算退學人數及退學率而設。加上教育局並沒有強制私立及國際學校參與使用該平台，故即使該局嘗試以現有資料編製投訴人所要求的退學統計數字，亦難以確定有關離校學生是否已退出本港教育體系，編製出來的退學統計數字將不完整或具誤導性。因此，本署認為，教育局有理由援引《守則》第2.13(a)段拒絕上述要求。

Refusing to provide the number of dropouts and dropout rate

The complainant requested the Education Bureau ("EDB") to provide the number of dropouts and dropout rate of primary schools in Hong Kong (including private schools) for three consecutive school years. EDB refused the request by invoking paragraph 2.13(a) of the Code (information relating to incomplete analysis, research or statistics, where disclosure could be misleading).

As revealed in our inquiry, EDB maintains an e-platform for collection of student data for purposes related to education. Information about students' leaving/absence from school so collected would be used to identify suspected cases of discontinuing study. It is not for calculating the number of dropouts and dropout rate. Moreover, EDB has not made it mandatory for private schools and international schools to use the e-platform, so even if EDB had used the available information to compile statistics on dropouts as requested by the complainant, it would be difficult for EDB to ascertain whether the students concerned had left the Hong Kong education system. The statistics on dropout cases so compiled would be incomplete or misleading. Hence, we considered that EDB's refusal of the request by invoking paragraph 2.13(a) is well grounded.

財經事務及庫務局
Financial Services and the Treasury Bureau



拒絕提供未來基金轄下香港增長組合的資金配置資料

投訴人向財經事務及庫務局（「財庫局」）索取「未來基金」轄下「香港增長組合」每家獲任命的普通合夥人的名稱及成立為法團的所在地，以及每家普通合夥人的配置規模。該局引用《守則》第2.8段、2.9(a)段、2.9(b)段及2.16段拒絕提供。

財庫局解釋，披露每家獲任命的普通合夥人的名稱或會令人將其所有運作及投資活動與政府連繫起來，從而引起市場揣測，導致價格波動，繼而破壞金融穩定。有關披露可能會削弱政府與已獲任命的普通合夥人合作及任命新的普通合夥人時的議價能力及競爭地位。財庫局亦解釋，披露普通合夥人的配置規模可能會傷害或損害其代表政府與投資對象談判的能力，並引起配置規模相對較小的普通合夥人的質疑，因而傷害或損害政府的競爭地位。

金融市場瞬息萬變且十分敏感，財庫局在評估相關風險時採取底線思維以保障金融安全及公帑的財務利益，屬可理解。雖然「香港增長組合」涉及龐大公帑，故牽涉公眾利益，本署接納該局所指，披露資料造成的傷害或損害超越所涉的公眾利益。

結論	不成立	
Conclusion	Unsubstantiated	

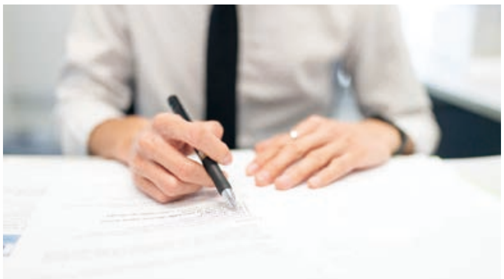
Refusing to provide information on allocations of Hong Kong Growth Portfolio of Future Fund

The complainant requested the Financial Services and the Treasury Bureau ("FSTB") to provide the full name and place of incorporation of each General Partner ("GP") appointed under the Hong Kong Growth Portfolio ("HKGP") of the Future Fund, and the mandate size of each GP. FSTB refused the request pursuant to paragraphs 2.8, 2.9(a), 2.9(b) and 2.16 of the Code.

FSTB explained that disclosing the name of each GP appointed may lead to association of all the GP's operations and investments with the Government, thereby inviting market speculations, causing price volatility and in turn undermining financial stability. Such disclosure may weaken the Government's bargaining position and competitive position in working with appointed GPs and engaging new GPs in future. FSTB also explained that disclosing the mandate size of each GP may harm or prejudice its negotiations, with investment targets on behalf of the Government, and trigger queries from those GPs accorded a relatively smaller mandate, thereby harming or prejudicing the competitive position of the Government.

It is understandable that given the dynamic and sensitive nature of the financial market, FSTB adopts a bottom-line mentality in assessing relevant risks for safeguarding financial security and financial interest of public funds. While recognising that HKGP involves substantial public funds and hence the public interest, we accepted FSTB's view that the harm or prejudice brought about by the disclosure outweighs the public interest in disclosure.

民政事務總署、運輸及房屋局和地政總署
Home Affairs Department, Transport and Housing Bureau and Lands Department



延誤回覆索取資料要求

2021年9月中旬，投訴人根據《守則》要求民政事務總署（「民政總署」）轄下沙田民政事務處（「民政處」）提供某過渡性房屋項目進行諮詢的資料，但最終待本署介入後才於11月中旬取得資料。本署調查發現，民政總署、運輸及房屋局[註]（「運房局」）和地政總署在處理該索取資料要求時，有以下不足之處：

- 民政處沒有在收到該要求後10日內回覆投訴人（見《守則》第1.16段）。投訴人於10月初向1823投訴後，該處才要求運房局和地政總署轄下沙田地政處（「地政處」）跟進及直接回覆投訴人。

- 就民政處的轉介，地政處要求運房局直接回覆投訴人，但沒有通知投訴人上述安排（見《守則》的《詮釋和應用指引》（「《指引》」）第1.15.2段）；運房局則誤以為無需給投訴人初步答覆（見《指引》第1.15.3段），以及民政處會統籌給投訴人的回覆，遂於10月下旬以電郵傳送資料予該處而沒有直接回覆投訴人。

註： 運輸及房屋局於2022年7月1日起，分拆為運輸及物流局和房屋局。

結論 Conclusion	成立 Substantiated

Delay in replying to a request for information

In mid-September 2021, the complainant requested the Sha Tin District Office ("DO") under the Home Affairs Department ("HAD") to provide information on a transitional housing project under consultation in accordance with the Code. Yet, the complainant only got the information in mid-November upon our intervention. Our investigation revealed the following inadequacies on the part of HAD, the Transport and Housing Bureau[Note] ("THB") and the Lands Department ("LandsD") in handling the request:

- DO did not reply to the complainant within 10 days upon receipt of the request (see paragraph 1.16 of the Code). DO asked THB and the Sha Tin District Lands Office ("DLO") under LandsD to follow up and reply to the complainant direct only after the complainant complained to 1823 in early October.

- Regarding DO's referral, DLO asked THB to reply to the complainant direct but did not inform him accordingly (see paragraph 1.15.2 of Guidelines on Interpretation and Application of the Code ("the Guidelines")); THB mistook that it needed not give the complainant an interim reply (see paragraph 1.15.3 of the Guidelines) and that DO would coordinate a reply to the complainant, so it emailed the information to DO in late October instead of giving the complainant a direct reply.

Note: The Transport and Housing Bureau was split into the Transport and Logistics Bureau and the Housing Bureau with effect from 1 July 2022.

- 民政處發現運房局10月下旬的電郵出現亂碼，並以為電郵屬誤傳而無需跟進。本署介入後，運房局於11月中旬向該處查問，該處才將有關資料轉發給投訴人。

民政處及運房局在本署調查期間，已主動提醒職員應與相關部門保持緊密溝通，及按《守則》適時回覆市民；運房局並承諾會加強培訓職員對《守則》的要求的認識。

- DO found that THB's email was garbled, and took it as a misdirected one requiring no follow-up. It was not until THB enquired with DO in mid-November following our intervention that DO immediately furnished the complainant with the requested information.

During our investigation, DO and THB proactively reminded their staff to maintain close communication with relevant departments and respond to the public in a timely manner in accordance with the Code; THB also undertook to strengthen staff training on the Code's requirements.

建議

向民政總署提出的建議

- 就亂碼電郵檢視電郵系統的設定，查找及解決相關的技術問題

向地政總署提出的建議

- 就處理索取資料要求加強培訓，提升職員對《守則》的要求的理解

Recommendations

Recommendation to HAD

- Examine the settings of its email system regarding the garbled email with a view to identifying and resolving related technical issues

Recommendation to LandsD

- Step up staff training on handling information requests to enhance their understanding of the Code's requirements

政府新聞處
Information Services Department



拒絕提供受邀到現場採訪七一回歸慶祝活動的傳媒機構名單

投訴人向政府新聞處（「新聞處」）索取該處邀請到現場採訪七一回歸慶祝活動的傳媒機構名單，以及與揀選傳媒機構的準則有關的內部指引、政策及通訊文件。新聞處援引《守則》第2.3(b)段（資料如披露會令本港的保安受到傷害或損害）拒絕。

新聞處解釋，習近平主席於2022年出席香港回歸25周年的主要慶祝活動。披露受邀的傳媒機構名單將傷害或損害習主席訪港期間的保安工作，亦會協助他人日後規避保安查核機制。由於新聞處已為未受邀到活動現場的傳媒機構提供另一採訪選項，而披露有關名單可導致極其嚴重的傷害，該處並不認為披露資料所涉的公眾利益超越可能造成的傷害或損害。

本署接納新聞處的解釋。不過，該處在回應其中一部分的索取資料要求時，應清楚告知投訴人該處並無擁有相關的指引、政策及通訊文件。

結論 投訴不成立，但機構另有缺失
Conclusion Unsubstantiated but other inadequacies found

Refusing to provide a list of media organisations invited to cover the July 1 Reunification Anniversary celebrations/festivities

The complainant requested the Information Services Department ("ISD") to provide a list of media organisations invited by the Department to cover the July 1 Reunification Anniversary celebrations/festivities, and the internal guidelines, policies and/or communications pertaining to the criteria of selecting such media organisations. ISD refused the request pursuant to paragraph 2.3(b) of the Code (information the disclosure of which would harm or prejudice Hong Kong's security).

ISD explained that President Xi Jinping had attended the key 25th anniversary events in 2022. Disclosure of the list of invited media organisations would harm or prejudice the protection of President Xi during his visit in Hong Kong and would assist the evasion of the security clearance mechanism in the future. Since ISD had provided a good alternative to those media organisations not invited to the event venues to cover the events, and the harm which might arise from the disclosure would be extremely serious, the Department did not consider that the public interest in disclosure outweighed the harm or prejudice.

While we accepted ISD's explanation, the Department should have addressed part of the information request more properly by informing the complainant clearly that it did not possess the guidelines, policies or communications under request.

建議

- 為職員提供更多有關《守則》的培訓，讓他們在部門並無擁有被索取的資料時，能更妥善地回應索取資料要求

Recommendation

- Provide its officers with more training on the Code so that the latter could better address information requests when the Department does not possess the requested information

規劃署
Planning Department



拒絕提供某策略性研究的評估報告

投訴人向規劃署索取「香港2030+可持續發展評估」及「香港2030+策略性環境評估可行性研究」的報告副本，但該署以報告只屬輔助性質的工作文件及未能完整反映《香港2030+：跨越2030年的規劃遠景與策略》（「《香港2030+》」）的最終建議為由拒絕提供。

本署調查發現，雖然《香港2030+》最終建議已收納《北部都會區發展策略》（「《發展策略》」）的新增建議，但事涉報告是按《香港2030+》研究當時的建議編寫並於2021年第一季左右完成，而《發展策略》乃於該年後期考慮了最新情況而制定，因此事涉報告未有涵蓋《發展策略》的新增建議。本署接納規劃署所指，事涉報告屬《守則》第2.13(a)段所述的「不完整或未完成的分析、研究或統計有關的資料」，而披露報告可能會令人對其涵蓋範圍及功能產生誤解，即使附上註釋亦未必可以避免誤解。披露事涉報告的公眾利益亦未能超過可能造成的傷害或損害。

結論 Conclusion	不成立 Unsubstantiated

Refusing to provide assessment reports for a strategic study

The complainant requested the Planning Department ("PlanD") to provide a copy of the Sustainability Assessment for Hong Kong 2030+ and Strategic Environmental Assessment for Hong Kong 2030+: Feasibility Study ("the Reports"). PlanD refused the request on the ground that the Reports only serve as supporting working documents and do not completely reflect the final recommendations of Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030 ("Hong Kong 2030+").

Our investigation revealed that while the final recommendations of Hong Kong 2030+ mentioned the new proposals under the Northern Metropolis Development Strategy ("NMDS"), the Reports did not cover such proposals as the assessments were based on the recommendations formulated at the time of assessment and had been completed in the first quarter of 2021 before the new proposals under NMDS were formulated later in the year taking into account the latest circumstances. We accepted PlanD's explanation that disclosure of the Reports, which may be regarded as information relating to incomplete analysis, research or statistics under paragraph 2.13(a) of the Code, may lead to unavoidable misunderstanding as to their coverage and function even if explanatory notes are added. Furthermore, the public interest in disclosure of the Reports would not outweigh the harm or prejudice that might result.

保安局
Security Bureau



拒絕提供社區隔離設施的入住數據

投訴人要求保安局提供所有社區隔離設施自啟用以來的每日入住數據。然而，保安局只提供了有關設施截至某日的總入住人數，並援引《守則》第2.9(d)段（不合理地使用部門的資源）拒絕投訴人原來的要求。

本署調查發現，保安局最關注的是每個社區隔離設施有否足夠房間提供給入住人士，而非入住人士的數目。保安局的電腦系統會記錄入住人士的資料，但初期錄得的資料可能未必準確，原因包括入住者以紙本方式填報入住資料時有延誤或出錯，以及職員將資料輸入系統時出錯。如要提供投訴人原本要求的資料，保安局需聯絡每位入住人士以核實其入住日期，這將不合理地使用局方的資源。因此，保安局修訂了投訴人的要求並按此提供資料。

本署認為，雖然保安局有理由拒絕投訴人的索取資料要求，但局方在拒絕要求前，未有按《守則》的「詮釋和應用指引」所訂，與投訴人磋商索取資料的範圍及詳情，探討可否把要求修改至雙方都可接受的程度。

結論 Conclusion	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found

Refusing to provide occupancy statistics of community isolation facilities

The complainant requested the Security Bureau ("SB") to provide the daily occupancy statistics of all the community isolation facilities ("CIFs") since they were in use. However, SB only provided the aggregated number of persons admitted as of a particular day and refused to accede to the complainant's original request by citing paragraph 2.9(d) of the Code (unreasonable diversion of resources) as the reason.

Our investigation revealed that SB was most concerned about the availability of rooms in each CIF for accommodating the admitted persons, rather than the number of persons admitted therein. SB had put in place a management system to record the information of admitted persons, but the admission data captured might be inaccurate at the early stage due to errors or delays in the self-reporting of admission in paper forms by admitted persons and potential errors in the transcription of such information. In order to fulfill the complainant's request, SB would have to check with individual admitted persons to verify their admission dates, which would unreasonably divert its resources. Hence, SB modified the request and provided information accordingly.

We reckoned that although SB had grounds to refuse the information request, it had failed to comply with the Guidelines on Interpretation and Application of the Code to initiate prior negotiation with the complainant to identify a mutually acceptable alternative in terms of the scope and details of the information to be provided before refusal.

保安局、入境事務處、香港海關、懲教署、香港消防處、香港警務處及政府飛行服務隊
Security Bureau, Immigration Department, Customs and Excise Department, Correctional Services Department, Fire Services Department, Hong Kong Police Force and Government Flying Service



結論 Conclusion 不成立 Unsubstantiated

未能提供紀律部隊人員接受利益的統計數字

投訴人向入境事務處、香港海關、懲教署、香港消防處、香港警務處及政府飛行服務隊索取部門職員於某段期間接受利益的統計數字，但上述部門援引《守則》第1.14段（不強制部門編製從來沒有存在的記錄）及第2.9(d)段（資料要透過不合理地使用部門的資源才能提供）拒絕。投訴人指部門未有與他磋商是否可以把要求修改至雙方均可接受的程度，亦未有考慮當中涉及公眾利益，而保安局在覆檢時沒有考慮上述事宜。

保安局及有關部門表示，不論有關統計資料所涉時段的長短，各部門須翻查轄下各組別或單位的相關檔案，才可編製有關資料，這將耗用大量資源，而各部門正忙於參與抗疫工作。本署接納保安局及部門的解釋。不過，本署認為，只有透過編製和檢視有關統計資料，公務員事務局、各局及部門才可監察員工接受利益的情況，亦能更充分及快捷地回應市民索取資料的要求。

Failing to provide statistics on disciplined services staff's acceptance of advantages

The complainant requested the Immigration Department, Customs and Excise Department, Correctional Services Department, Fire Services Department, Hong Kong Police Force and Government Flying Service to provide statistics on acceptance of advantages by the departments' staff during a particular period of time. The departments concerned refused the request by citing paragraphs 1.14 (not obliging departments to create a record which does not exist) and 2.9(d) (information which could only be made available by unreasonable diversion of a department's resources) of the Code. The complainant alleged that the departments had not discussed with him the possibility of modifying his request to a mutually acceptable level or considered the public interest involved. The Security Bureau ("SB") had not considered the above issues when reviewing his request.

SB and the departments concerned explained that each department would need to examine the relevant files of each section or unit in order to compile the requested statistics, regardless of the length of time period covered. That would require considerable resources when the departments were participating in anti-epidemic work. We accepted SB and the departments' explanation. However, we considered that only through compilation and examination of statistics can the Civil Service Bureau ("CSB") and bureaux/departments monitor staff's acceptance of advantages and be able to reply to requests for information by the public more comprehensively and promptly.

建議

- 公務員事務局考慮要求各司局及部門善用資訊存取科技備存記錄，以便在有需要時可便捷地編製關於轄下員工接受利益的統計資料

Recommendation

- CSB to consider requiring Offices of Secretaries, bureaux and departments to utilise data access technology to maintain records for handy compilation of statistics on staff's acceptable of advantages when necessary

改善公共行政
Improving Public Administration

我們透過不偏不倚的調查找出引發投訴的原因，處理及解決因公營機構行政失當而引起的不滿和問題，以及促進良好公平的公共行政。

Through impartial investigations, we aim to find out what have triggered complaints, redress grievances and address issues arising from maladministration in the public sector and bring about better public administrative practices.

我們提出的建議主要分為以下類別：

(1) 制定更清晰指引，使運作更為一致和有效率
(2) 改進跨部門的協調安排
(3) 改善處理市民查詢／投訴的措施
(4) 改善客戶服務的措施
(5) 加強規管及管制的措施
(6) 訂立更清晰合理的規則及收費
(7) 為市民提供更適時和更清晰的資料
(8) 員工培訓
(9) 其他

Our recommendations are mainly categorised as follows:

(1) guidelines for clarity, consistency or efficiency in operation
(2) better arrangements for inter-departmental co-ordination
(3) measures for better public enquiry/complaint handling
(4) measures for better client services
(5) measures for more effective regulation or control
(6) clearer/more reasonable rules and charges
(7) clearer and more timely information to the public
(8) training for staff
(9) others



為確保我們的建議能實際及有效改善公共行政，我們進行調查期間，經常會與所涉機構的高層人員討論我們的觀察所得及意見。這種意見交流有助澄清疑問及了解問題所在。

To ensure practicability and effectiveness of our recommendations in bringing about better public administration, we often discuss our observations and views with senior officers of the organisations concerned in the course of investigation. Such exchanges conduce to clarifying doubts and a better understanding of the problems.

我們期望所涉機構會按我們的建議作出改善，並在落實建議遇到困難時告知我們。我們會要求所涉機構定期提交報告，以監察進度，直至建議全部落實為止。

We expect the organisations concerned to take forward our recommendations and update us on any difficulties with their implementation. We will monitor the progress by requesting periodical updates from the organisations concerned until our recommendations are fully implemented.

如發現他們未有盡力落實建議，申訴專員可根據《申訴專員條例》，向香港特別行政區行政長官呈交報告。此外，專員如認為曾有嚴重的不當或不公平事件發生，可向行政長官提交另一份報告，並在其後一個月，或行政長官釐定的更長時間內，將報告的文本提交立法會省覽。

Where an organisation fails to take forward a recommendation, The Ombudsman may submit a report to the Chief Executive of the Hong Kong Special Administrative Region pursuant to The Ombudsman Ordinance. In addition, if The Ombudsman deems that a serious irregularity or injustice has taken place, she may make a further report to the Chief Executive. Within one month or such longer period as the Chief Executive may determine, a copy of the report has to be laid before the Legislative Council.

我們在年度內已完成的調查及提出的建議的數目如下：

The figures of our concluded investigations and recommendations made for this financial year are set out below:

11.4%
考慮中的建議
Under consideration

提出的建議總計
Total number of recommendations made
211

88.6%
獲接納予以落實的建議
Accepted for implementation

完成了的全面調查：
Full investigations concluded: **141**

提出的建議：
Recommendations made: **125**

完成了的主動調查：
Direct investigations concluded: **9**

提出的建議：
Recommendations made: **86**

一如以往，我們提出的建議大多獲所涉機構接納。小部分建議並未獲接納或落實是因為機構後來可能找到其他解決方法，或不會再進行引發投訴的行動，例如機構已停止有關工作，故此不需要採取我們建議的措施。

As always, most of our recommendations were accepted. A small percentage of them were not accepted/implemented because the organisations concerned might have subsequently come up with other alternatives or our recommended measures were no longer needed as the action having caused a complaint would not be repeated due to, for instance, cease of relevant work of the organisation.

在本年度，所涉機構落實了的改善建議的重要實例開列如下。

Major examples of the improvement measures implemented in this financial year are listed below.

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
漁農自然護理署 Agriculture, Fisheries and Conservation Department (DI/445)	修訂工作指引，須向懷疑違規的狗隻畜養人發出勸諭信或警告信，並將該些個案記錄在部門的電腦系統內 Guidelines revised requiring the issuance of advisory or warning letters to dog keepers suspected to have violated regulations, and recording such cases in the Department's computer system	(1) & (5)
屋宇署 Buildings Department (2021/4354)	• 改善電子舉報表格，以要求舉報人提供更準確和詳細的資料 Electronic report form revised to require reporters to give clearer and more accurate information	(3)
	• 定期與顧問公司進行會議，並更頻密地與表現欠佳的顧問公司舉行工作進度會議 To conduct regular meetings with consultants and more frequent progress meetings with the under-performing consultants	(5)
	• 提升資訊系統以接收顧問公司的電子視察報告及更有效監察其表現 To upgrade its information technology system for receiving electronic inspection reports from consultants and more effective monitoring of their performance	(5)
	• 利用航拍機協助調查個案 To use drones to assist in investigations	(5)
屋宇署及地政總署 Buildings Department & Lands Department ("LandsD") (2022/0975)	• 提醒職員日後在處理新界豁免管制屋宇懷疑有僭建物的投訴時，加強兩署的溝通及協調；在有需要時主動釐清對方會否採取執法行動，以及綜合回覆投訴人 Reminded staff to strengthen communication and coordination between the two departments when handling reports of unauthorised building works regarding New Territories Exempted Houses, and if necessary, seek clarification with the other department proactively to ascertain whether it would take enforcement action and provide a consolidated reply to complainants	(3)
	• 地政總署提醒職員日後在回覆投訴時，清楚解釋其跟進行動／不擬採取行動的原因 LandsD reminded staff to explain clearly to complainants its follow-up action/reasons for not taking action	(3)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
衞生署 Department of Health ("DH") (2020/1710)	• 與醫院管理局（「醫管局」）商討，請醫管局容許衞生署遺傳輔導診所的病人使用醫管局「預約通」應用程式進行首次預約 Liaise with the Hospital Authority ("HA") to arrange patients of DH's Genetic Counselling Clinics to make the first appointment by using HA's mobile app "BookHA"	(4)
	• 向前線職員提供培訓，確保其充分了解最新的預約安排 Training provided to frontline staff to keep them abreast of the latest appointment booking arrangements	(8)
效率促進辦公室及運輸署 Efficiency Office & Transport Department ("TD") (2022/0871)	修訂系統發送的自動回覆，日後若1823因疫情而暫停處理市民發給運輸署郵箱的電郵時，說明運輸署的其他查詢途徑 Revised the auto-response system and, if 1823 suspends handling emails from public to TD due to pandemic in the future, explain TD's alternative enquiry channels	(2) & (3)
機電工程署 Electrical and Mechanical Services Department (2022/2481)	• 提醒職員須嚴格遵從指引處理電力安全舉報 Reminded staff to comply with its guidelines stringently when handling reports of electrical hazards	(3)
	• 檢視指引並加入發出「檢查電力裝置通知書」後的跟進程序 Guidelines reviewed with follow-up actions to be taken after issuance of Notice to Inspect Electrical Installation added	(5)
機電工程署 Electrical and Mechanical Services Department (DI/438)	開發數碼化工作日誌以收集和分析關於升降機及自動梯工程和保養工作的數據，以助該署監察和規管註冊承辦商和工程人員的表現，也讓擁有人和物業管理公司可透過系統隨時監察所管理的升降機和自動梯的狀況 A digital log book developed for collecting and analysing the data concerning the installation and maintenance of lifts and escalators, strengthening the Department's monitoring and regulatory work on the performance of registered contractors, engineers and workers, and assisting owners and property management companies to keep track of the condition of their lifts and escalators	(5)
僱員再培訓局 Employees Retraining Board (2022/1957)	檢討及修訂「課程申請表」及「申請須知」，以清晰地顯示「最高學歷」的定義和說明 The Course Application Form and Application Guidelines reviewed and revised to indicate clearly the definition and meaning of the term "highest educational attainment"	(7)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
環境保護署 Environmental Protection Department (2022/2068B)	提醒職員日後處理1823轉介的投訴時，如預計無法及早完成調查及給予具體回覆，須適時直接／透過1823暫覆投訴人，交代個案進展和解釋需要更多時間具體回覆的原因 Reminded staff that, when handling complaints referred by 1823, if they anticipate that their investigations will take a longer time to complete and substantive replies could not be issued soon, staff should issue timely interim replies, directly or via 1823, to complainants and keep them informed of the progress of its investigation and the reasons why more time is required for giving a substantive reply	(3)
環境保護署 Environmental Protection Department (DI/410)	完成研究全球衛星定位技術在泥頭車的應用，並在部分工務工程項目使用有關技術 Studies on the application of GPS technology on construction waste collection vehicles completed, and used the technology in some public works projects	(5)
環境保護署 Environmental Protection Department (DI/440)	加強與屋宇署就駁錯渠個案的協作 Enhanced cooperation with the Buildings Department regarding sewer misconnection cases	(2)
環境保護署 Environmental Protection Department (DI/444)	• 鼓勵其他管理回收桶的部門收集及備存更多回收數據 Encouraged other departments responsible for recycling bins management to collect and maintain more recycling data	(2)
	• 全面檢視公共空間回收桶的政策，並因應市區路邊回收桶的角色逐漸減少，逐步移除該些回收桶，以提升整體的回收效率 Comprehensively reviewed the policy of recycling bins in public places and gradually removed the roadside recycling bins in urban areas having regard to their declining role, so as to enhance the overall recycling efficiency	(5)
	• 設計新的公共空間回收桶標示 Designed new labels for recycling bins in public places	(7)
	• 於部門的網站定期發布公共空間回收桶的運作數據 Released regularly the operation data on the recycling bins in public places on the Department's website	(7)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
食物環境衞生署 Food and Environmental Hygiene Department (2020/3780)	• 檢討對有關固定小販攤檔的執法尺度，訂定實施時間表並通知攤檔負責人，以遏止違規越界經營造成的阻礙及確保道路使用者的安全 Reviewed the criteria for taking enforcement actions against fixed hawker pitches, drew up an implementation schedule of the reviewed criteria and informed the pitch operators of its implementation in order to curb the obstruction caused by the illegal extension of pitch boundaries and ensure the safety of road users	(1)
	• 與其他政策局／部門及持份者商討，制定有效管理發泡膠箱擺放問題的方案 Explored and formulated effective measures with other policy bureaux/departments and stakeholders for effective management of the placement of polyfoam boxes	(2)
	• 探討與其他政府部門（例如當區民政事務處、香港警務處、當區地政處等）商討，制定有效的管理方案 Explored effective control measures with relevant departments (e.g. local District Offices of the Home Affairs Department, the Hong Kong Police Force and the District Lands Office concerned)	(2)
	• 加強對店鋪非法擴展營業範圍及擺放物品妨礙街道清掃的執法力度 Strengthened the enforcement actions against illegal shop front extensions and placement of articles which obstructs street cleansing	(5)
	• 檢討現時的執法策略，並採取有效措施遏止違規行為 Reviewed the existing enforcement policy and to take effective measures to curb unlawful acts	(5)
食物環境衞生署 Food and Environmental Hygiene Department (2021/1498)	檢視轄下不同組別是否需要提供宣誓或聲明服務 Reviewed the need to provide oath-taking or declaration services by its different units	(4)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
食物環境衞生署 Food and Environmental Hygiene Department (DI/403)	• 檢討現行的續租制度，並在部分公眾街市實施新的續租制度 The current tenancy renewal system reviewed and a new system in some public markets implemented	(1)
	• 檢討以低於市場租金作底價的競投模式 The auction practice of setting upset prices below open market rental level reviewed	(5)
	• 在部分公眾街市實施「一人一檔」的租賃安排 A "one-person-one-stall" tenancy measure in some public markets implemented	(7)
食物環境衞生署 Food and Environmental Hygiene Department (DI/431)	• 修訂工作守則，為署方直接管理的公廁訂立服務表現指標 Operation Manual updated to provide performance indicators for the public toilets directly managed by the Department	(1)
	• 優化投訴管理資訊系統，以便利對與公廁相關的投訴的數據分析 Complaint Management Information System enhanced to facilitate data analysis for complaints about public toilets	(3)
	• 優化合約管理系統，以供全面分析公廁外判服務承辦商的服務質素 The contract management system for public toilet service contractors enhanced to facilitate comprehensive analysis of their service quality	(5)
食物環境衞生署 Food and Environmental Hygiene Department (DI/441)	• 檢視及修訂用作管理防治蟲鼠隊的工作守則，以提升監察效能 Operational manuals on managing the performance of Pest Control Teams reviewed and revised to enhance the effectiveness of supervision	(1)
	• 更新指引，確保錄得警戒級別蚊患指數的監察地區妥善備存防治工作記錄 Guidelines updated to ensure proper keeping of records of control actions taken in survey areas with mosquito surveillance index at alert levels	(1)
	• 為監察蚊患的密度指數制訂不同級別和分級說明 Density Index for mosquito surveillance categorised into different levels and a descriptor provided for each level	(7)

機構（個案編號） **Organisation (Case reference)**	改善措施 **Improvement measures**	類別 **Category**
公務員事務局 Government Secretariat – Civil Service Bureau (2021/4326(I))	要求所有政策局及部門善用科技彙集及備存轄下員工接受利益申請個案的記錄，以便在有需要時可便捷地編製統計資料 To require all bureaux and departments to utilise technology to collate and maintain records on staff's applications for acceptance of advantages for speedy compilation of statistics when necessary	(3) & (5)
政制及內地事務局 Government Secretariat – Constitutional and Mainland Affairs Bureau (DI/443)	呼籲政策局、部門及其管轄的相關機構考慮以遙距形式提供傳譯服務 Encouraged Government bureaux, departments and related organisations under their purviews to consider providing distance interpretation services	(4)
教育局 Government Secretariat – Education Bureau ("EDB") (2021/4263)	• 就涉及為何本地學校和提供非本地課程的私立學校恢復全日面授課堂及課外活動的要求有所不同的查詢，教育局已增補回覆內容，讓公眾可更全面理解要求不同的理據 Contents of EDB's response to public enquiries about the different requirements for local schools and private schools offering non-local curriculum to resume full-day face-to-face classes and extra-curricular activities enriched so that the rationale of the differences could be more comprehensively understood	(7)
	• 因應學生需要、持份者意見及疫情變化，定期檢討恢復全日面授課堂及課外活動的準則 Criteria for resumption of full-day face-to-face classes and extra-curricular activities periodically reviewed after taking into account students' needs, stakeholders' views and the changing situation of the pandemic	(9)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
環境局及環境保護署 Government Secretariat – Environment Bureau & Environmental Protection Department (DI/415)	• 統籌並協助其他政府部門（包括運輸署、政府產業署、康樂及文化事務署和旅遊事務署）在轄下停車場加裝超過1,000個電動車中速充電器 Coordinated and assisted other Government departments (including the Transport Department, the Government Property Agency, the Leisure and Cultural Services Department and the Tourism Commission) to install in their parking lots more than 1,000 additional medium chargers for electric vehicles	(4)
	• 推出流動應用程式，發放公共充電器的實時資訊，以便利駕駛電動車的人士尋找可用的公共充電器 A mobile application launched to disseminate real-time information about public electrical chargers to facilitate electric vehicle drivers to locate the chargers that are available	(7)
食物及衞生局和衞生署 Government Secretariat – Food and Health Bureau & Department of Health (DI/433)	加強向公眾推廣低收費病床，包括在公立醫院張貼海報和告示 Strengthened the promotion of low-charge beds to members of the public, such as by putting up posters or notices in public hospitals	(7)
醫務衞生局 Government Secretariat – Health Bureau (2022/1535)	• 要求物流公司制定向各服務單位分發快速抗原檢測包的固定日程表 Required logistics companies to devise regular schedules for distribution of Rapid Antigen Test ("RAT") kits to service units	(2)
	• 與參與部門／機構檢討現行發放有關派發檢測包資訊的方式 Reviewed the current methods of disseminating information on the distribution of RAT kits with participating departments/organisations	(7)
民政事務局 Government Secretariat – Home Affairs Bureau (2020/3518)	檢討及修訂《社區發展政策聲明》以反映召開非政府機構社區發展論壇的實際安排 The Policy Statement on Community Development reviewed and revised to reflect the actual arrangements for convening the NGO Forum on Community Development	(1)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
房屋局 Government Secretariat – Housing Bureau (2022/2400)	• 繼續與居民保持良好溝通，並會在過渡性房屋項目的發展和居民對該項目在設計方面的關注兩者之間作出平衡 To maintain good communication with residents and strike a balance between their concerns about the design of the transitional housing project and the project's development	(3)
	• 檢視有關公布過渡性房屋項目資訊的發放安排，以及確保資訊準確、清晰及適切 To review the arrangements for publicising the information of transitional housing projects and ensure the information is accurate, clear and appropriate	(7)
民政事務總署及地政總署 Home Affairs Department & Lands Department (DI/417)	豎立界線標示柱；將界線資料上載至指定手機應用程式；修訂殮葬許可證的申請程序和條款，以確保村民在下葬先人前清楚知悉「認可殯葬區」的範圍及違規的後果 Boundary markers installed, boundary information uploaded to designated mobile applications and the application procedures and conditions of Burial Certificates revised to ensure that villagers are fully aware of the boundaries of permitted burial grounds and the consequences of non-compliance before burying the deceased	(5)
房屋署 Housing Department (DI/413)	實地巡視各公共屋邨，記錄並整合邨內現有「空格位」及儲物室的資料，以便研究將它們改建作公屋單位或其他用途的可行性 Public housing estates inspected to collect and consolidate information about empty bays and storerooms in the estates for studying the feasibility of converting them into public housing units or for other uses	(9)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
房屋署 Housing Department (DI/439)	• 為屋邨管理人員及工程人員跟進公共屋邨遊樂及健體設施損壞個案的工作設定時限 Setting time frames for estate management staff and building works staff to follow up on cases of damaged play and fitness equipment in public rental housing ("PRH") estates	(1)
	• 為已拆售物業屋邨內遊樂及健體設施的維修決定諮詢業主的程序設定時限 Setting time frames for consulting the owners of divested flats in PRH estates regarding the decisions of repairing play and fitness equipment in the estates	(1)
	• 修訂工作指引，要求屋邨前線人員更主動監察遊樂及健體設施維修工程的進度 Guidelines revised to require frontline staff of PRH estates to monitor the repair progress of play and fitness equipment more proactively	(1)
	• 成立專責監察小組並加入定期匯報制度，以加強監察公共屋邨遊樂及健體設施的整體維修過程 A monitoring task force established and a regular reporting mechanism set up to strengthen the monitoring work of the whole repair process for the play and fitness equipment in PRH estates	(5)
	• 為屋邨前線人員提供關於檢視遊樂場設施，以及記錄和報告設施損耗情況的線上培訓課程、講座及工作坊 Online training courses, seminars and workshops provided to the frontline staff of PRH estates regarding the inspection of playground facilities and the recording and reporting of their defects	(8)
	• 就公營房屋發展項目舉辦社區參與工作坊，以蒐集市民對公眾休憩用地及遊樂／健體設施的意見 Community engagement workshops for public housing development projects conducted to collect the public's views on public open space and play and fitness equipment	(9)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
勞工處 Labour Department (DI/447)	• 加強對經營外傭宿舍的職業介紹所的循規教育 Compliance education stepped up for employment agencies operating boarding facilities for foreign domestic helpers	(5)
	• 就標準僱傭合約中的「留宿規定」，加強對職業介紹所及僱主的宣傳教育 Publicity and education stepped up for employment agencies and employers regarding the "live-in requirement" in Standard Employment Contract	(5)
地政總署 Lands Department (2020/3362) (2020/3363) (2020/3488)	• 在跨部門會議中匯報涉及不同部門職權範圍的個案的工作進度 To report the progress of cases involving different departments at inter-departmental meetings	(2)
	• 修訂工作指引，將涉及具保育價值地區的佔用政府土地個案歸類為優先處理個案 Work guidelines revised so that cases of occupation of Government land which involve areas of conservation value are accorded priority	(5)
地政總署 Lands Department (2021/3870B(I))	發通告闡明及提醒職員《公開資料守則》的規定 A circular issued to explain and remind staff about the requirements of the Code on Access to Information	(8)
地政總署及消防處 Lands Department & Fire Services Department ("FSD") (DI/342)	在消防安全小冊子附上消防處網站的二維碼，以便利新界豁免管制屋宇居民獲取消防安全知識 The QR code of FSD's website inserted to fire safety pamphlets to facilitate access to fire safety knowledge by residents of New Territories Exempted Houses	(7)
海事處 Marine Department (DI/418)	完成檢討抽查私人繫泊設備的工作，並落實執行相關的巡查目標 Reviewed the work regarding random inspection of private moorings, and implemented the relevant inspection targets	(5)

機構（個案編號） Organisation (Case reference)	改善措施 Improvement measures	類別 Category
規劃署 Planning Department (2020/3488)	• 在跨部門會議中匯報涉及不同部門職權範圍的個案的工作進度 To report the progress of cases involving different departments at inter-departmental meetings	(2)
	• 提醒職員注意《公開資料守則》及相關內部指引，以及舉行相關講座 Staff reminded to pay attention to the Code on Access to Information and the relevant internal guidelines, and seminars will be organised for its staff	(8)
郵政署 Post Office ("PO") (2022/1696)	• 在郵件的地址標籤、取件通知書及相關記錄表上清楚列明「暢運服務」郵件的退件原因，以供寄件人參考 To state clearly the reason(s) for returning a Vantage mail item on the address label, the mail collection notification and the relevant record form for the sender's reference	(4)
	• 建立內部機制以持續審查和定期更新「暢運服務」違禁物品數據庫 An internal mechanism set up for continuous review and regular update of the database of Vantage prohibited items	(5)
	• 與「暢運服務」的商業合作夥伴聯絡，以便後者定期更新其數據檢查 Liaised with its Vantage commercial partners for the latter's regular updating of its data checking	(5)
	• 探索加快「暢運服務」郵件退回處理的程序 Measures for expediting the process for return of Vantage mail items explored	(5)
	• 透過郵政署的宣傳品提高公眾對不同類型郵政服務各自的違禁物品的認知 To enhance the public's awareness of the respective prohibitions regarding different types of postal services through PO's promotion materials	(7)
	• 在相關表格中加入有關「暢運服務」申訴機制的資料 Information about the Vantage appeal mechanism will be included in the relevant form	(7)

機構（個案編號） **Organisation (Case reference)**	改善措施 **Improvement measures**	類別 **Category**
運輸署及地政總署 Transport Department & Lands Department (2021/4203C&D)	召開跨部門的高層次會議，並就處理露天公共運輸交匯處內違泊單車的安排達成共識 High-level inter-departmental meetings convened and consensus reached on the arrangements for handling illegally parked bicycles at uncovered Public Transport Interchanges	(2)
運輸署 Transport Department (DI/450)	推行一系列宣傳及教育活動，提醒駕駛人士（特別是商用車輛司機）關注個人健康及駕駛能力的改變 A series of publicity and educational activities organised to remind drivers (particularly commercial drivers) to be aware about their personal health and changes in capability to drive	(9)

傳遞本署的資訊 Spreading Our Message

公署的宣傳推廣隨着疫情在2022年年中漸趨平穩而逐步增加實體的項目，包括學校講座及研討會，配合同時推出全新的宣傳片及公署網頁，讓市民大眾進一步認識我們的工作。除此之外，隨着全球疫情放緩，國際申訴專員機構在網上舉行研討會之外，亦舉辦實體模式的會議，我們亦有派員出席，與各地申訴專員保持聯繫及交流。

As the epidemic situation began to stabilise in mid-2022, more and more of our promotional activities took the form of in-person events, such as school talks and seminars. Meanwhile, we have rolled out new promotional videos and a revamped website to further enhance public understanding of our work. On the global level, as the pandemic subsided, international ombudsman institutions organised not only webinars but also face-to-face meetings. Our officers had attended these meetings to keep in touch, exchange views and share experience with overseas counterparts.

與傳媒的聯繫及新聞公報 Media Events and Press Releases

在本年度，我們舉辦了三次新聞發布會及發出三份新聞公報，以公布九項主動調查的結果。此外，我們亦宣布展開十項主動調查，並邀請各界持份者及市民大眾提供意見。

During the reporting year, we organised three press conferences and issued three press releases to announce the results of nine direct investigations. We also declared the launch of ten direct investigations to invite stakeholders and members of the public to give their views on the topics involved.





全新宣傳片及公署網頁

New Promotional Videos and Revamped Website

我們推出了一系列全新的宣傳影片，扼要地介紹公署的角色與職能，以及處理投訴方法等，從而加深市民對申訴專員的角色、權責和工作的了解。市民可於本署網頁及YouTube頻道觀看影片。

A brand-new series of promotional videos introducing the role and functions as well as the complaint-handling methods of our Office had been launched to deepen public understanding of our role, powers and work. The videos are available on our website and YouTube channel.

此外，我們亦推出全新公署網頁，以簡潔俐落的介面，配合豐富的圖像及多媒體內容，讓市民大眾容易獲得公署的資訊及所發放的消息。

In addition, we had revamped our website to offer quick access to information about and news disseminated by our Office. The new website boasts a neat and user-friendly interface, vivid images and multi-media contents.



專訪

Exclusive Interview

申訴專員在2023年年初接受《香港律師會會刊》訪問，分享公署的角色和工作，以及對作為公共行政監察機構的展望。

In an exclusive interview by the *Hong Kong Lawyer* in early 2023, The Ombudsman shared the role and work of our Office, and her visions on the future of the Office as a watchdog of public administration.

另外，申訴專員亦接受教育局的邀請，出席一個研討會，與新任校長分享行政管理的要點及領導者的質素。

The Ombudsman also attended a seminar at the invitation of the Education Bureau to share with newly-appointed school principals the essentials of administrative management and qualities of leaders.





與本地工作伙伴合作及公眾教育

Engagement with Local Working Partners and Public Education

我們繼續與本地持份者合作，透過互動交流，讓他們對本署職能和服務有更深入的認識，以及提倡正面的投訴文化。

We continued to engage local stakeholders through interactive exchange sessions to enhance their knowledge of the functions and services of our Office and promote a positive complaint culture.

交流會

Sharing Sessions

在年度內，我們為不同政府部門及機構舉辦了七次交流會，講解本署的使命和工作，並分享我們處理投訴的經驗。

In the reporting year, we delivered seven talks to various government departments and organisations on the mission and work of our Office, and shared our experience in complaint handling.





學校講座

School Seminars

為了增加年青人對本署的認識，我們積極向本港學校講解本署的使命和工作，共舉辦了八場學校講座，逾2,000名學生出席。

In order to help the young population to have a better understanding about our Office, we organised school talks to promote the Office's mission and work. In total, more than 2,000 students had attended the eight school talks we held.





年度研討會

我們與環保署合作舉辦疫情後的首個年度研討會，以「智慧執法 保護環境」為主題，邀請本署的專家顧問及太平紳士出席。在2023年3月10日的研討會上，主講嘉賓分享如何使用智慧科技處理投訴及協助執法，以及利用污水檢測輔助抗疫，同時解答參加者的提問及接受他們的意見作參考。

Annual Seminar

We invited the Environmental Protection Department to jointly host our first annual seminar after the epidemic. The Seminar, entitled "Environmental Protection – Law Enforcement with Smart Technology", was held on 10 March 2023 and was attended by our expert advisers and Justices of the Peace. The speakers from the Department shared their experience in using smart technology to resolve complaints and in law enforcement, and deploying sewage surveillance techniques to help combat the epidemic. Besides, they answered participants' questions and listened to their opinions.









申訴專員嘉許獎

本年度的申訴專員嘉許獎頒獎典禮於2022年11月16日舉行。

本年度的大獎得主是環境保護署，另外兩個獲獎部門為漁農自然護理署和衞生署。康樂及文化事務署則獲頒調解獎。此外，61名公職人員獲頒獎項，以表揚他們在服務市民方面的卓越表現。

The Ombudsman's Awards

The Presentation Ceremony of The Ombudsman's Awards this year was held on 16 November 2022.

This year's Grand Award went to the Environmental Protection Department, whereas the Agriculture, Fisheries and Conservation Department and the Department of Health were the runners-up. The Leisure and Cultural Services Department received the Award on Mediation. In addition, 61 public officers were given the individual awards to recognise their exemplary performance in public service.









有關獲獎機構及公職人員名單，可掃描二維碼閱覽。

For the full list of awardees, please scan the QR code.

與澳門及海外機構的聯繫

Liaison with Macao and Overseas Institutions

2022年10月12至14日，申訴專員參加了國際申訴專員協會澳大利西亞暨太平洋區分會在新西蘭威靈頓舉行的會員會議，以及新西蘭申訴專員公署六十周年慶典。同月18至20日亦出席亞洲申訴專員協會於阿塞拜疆巴庫舉行的常務理事會會議，以及由阿塞拜疆人權事務委員會舉辦的國際會議。

On 12 to 14 October 2022, the Ombudsman attended a members' meeting organised by the Australasia and Pacific Ombudsman Region of the International Ombudsman Institute ("IOI") in Wellington, New Zealand, as well as a ceremony to celebrate the 60th year of the New Zealand Office of The Ombudsman. Then on 18 to 20 October, the Ombudsman attended the annual meeting of the board of directors of the Asian Ombudsman Association ("AOA") and an international conference organised by the Office of the Commissioner for Human Rights (Ombudsman) of Azerbaijan, both held in Baku, Azerbaijan.

此外，專員與同事參加了亞洲申訴專員協會於2022年12月28至29日舉辦的「整合電腦科技在公眾申訴制度的角色」網上工作坊，以及國際申訴專員協會於2023年1月17日舉辦的「調解／另類排解糾紛的方法」網上研討會。

In addition, the Ombudsman and colleagues participated in the online workshop "The Role of Integrated Computer Technologies in Public Grievance Redressal System" hosted by the AOA on 28 and 29 December 2022, and a webinar on "Mediation/Alternative Dispute Resolution" organised by the IOI on 17 January 2023.

2023年3月7日，公署接待由澳門廉政專員領導的代表團，在工作上彼此交流、互相借鑑及分享經驗。

On 7 March 2023, the Office received a delegation led by the Commissioner Against Corruption of Macao. We exchanged views on the work of our offices and drew on each other's experience.





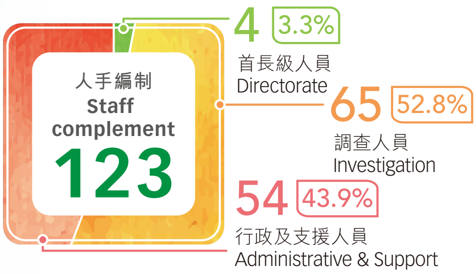




內部行政
Our Office

迎向更穩健未來

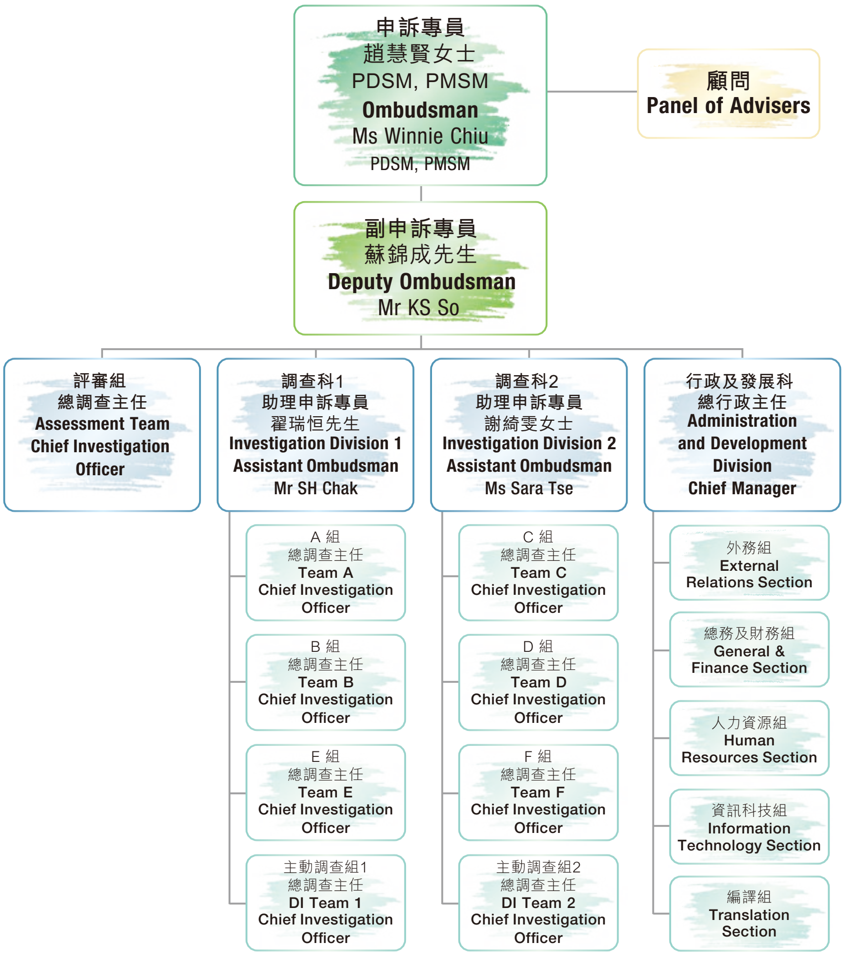
公署積極抗禦2019冠狀病毒病所帶來前所未見的挑戰，各項運作於本年度穩健有序地復常。幸得全體職員群策群力，我們安然渡過困難，同時貫徹自行培養人才的策略，建立一支幹練的調查團隊。年度內，本署經內部晉升及公開招聘，委任了六名調查人員（包括兩名調查主任及四名助理調查主任）。截至2023年3月31日，本署編制總人數為123。



Embracing a Better Future

Our operation slowly but surely returned to normalcy this year as we rose up to the unprecedented challenge of the COVID-19 pandemic. Our workforce had weathered the storm and came through unscathed. We continued to progress steadily in nurturing a solid base of home-grown talent and developing a healthy contingent of investigation officers. During the year, we appointed six investigation staff (two at Investigation Officer level and four at Assistant level) through internal promotion and open recruitment. As at 31 March 2023, we have a staff complement of 123.

組織圖
Organisation Chart



培訓及發展

Training and Development

在這段嚴峻期間，公署仍致力鞏固職員的專業能力及推廣學習文化，為新招聘的調查人員舉辦入職簡介課程，協助他們掌握有效執行職務的所需知識。公署舉辦了客戶服務及投訴處理的互動研討會，並安排多個工作坊，分享在處理投訴時有效應對困難情況的經驗，以及闡析《公開資料守則》和相關個案。我們亦安排職員參與有關管理及職業訓練的網上或面授課程，以增進知識及提升工作技能。

We continued to build our professional capacity and foster a learning culture in this extraordinary time by organising induction training for new investigators to equip them with the knowledge to discharge their duties effectively. We ran an interactive class on customer service in complaint handling, experience sharing workshops on tackling difficult situations in complaint handling and access to information cases. We also arranged staff to attend online or classroom management and vocational training to enhance their work knowledge and job skills.

申訴專員及副申訴專員出席公務員事務局舉辦的「國家主席重要講話精神」座談會。會後，申訴專員與本署主管人員分享國家主席講話的精粹，以及對本署工作的意義。

The Ombudsman and Deputy Ombudsman joined a sharing session organised by the Civil Service Bureau on "Spirit of the President's Important Speech". The Ombudsman then held a sharing with senior staff members on the essence of the President's speech and the implications on our work.

廉政公署應邀為本署人員舉辦誠信管理培訓講座。

On our invitation, the Independent Commission Against Corruption conducted workshops for our staff on integrity management.





為確保本署人員與時並進，我們委派職員出席海外申訴專員機構舉辦的會議，認識不同國家和地區在處理投訴方面的最佳實務方法及當前趨勢。

To keep staff abreast of the best practices and latest trends in complaint handling in different jurisdictions, we sent staff to attend conferences organised by overseas ombudsman institutes.

公署繼續推行「僱員身心安康計劃」，為職員提供所需的啟導和輔導，幫助他們在個人及專業方面提升效能。我們配合「無懼轉變盡展所長」的計劃主題，舉辦了數個身心健康工作坊，旨在凝聚正能量，勉勵員工積極投入生活。

We continued to subscribe for our staff to an Employee Wellness Programme, which offered coaching and counselling to our staff to help them achieve personal and professional effectiveness. To echo the theme of our programme titled "To Thrive in Times of Change", we organised staff wellness workshops, aiming to empower them with positive energy for positive living.





革新資訊及通訊科技基礎設備

Revamp of Information and Communications Technology Infrastructure

公署於2021年制定資訊及通訊科技策略性計劃，推動數碼科技改革。隨着計劃的進展，伺服器室的翻新工程已於年度內完成，而資訊及通訊科技網絡亦得以提升。此外，新安裝的網絡電話系統可支援職員在家工作，公署並已加強保安門禁系統。

This Office formulated the Information and Communications Technology ("ICT") Strategic Plan in 2021 to drive our digital transformation. Accordingly, the renovation of our server rooms was completed and the ICT network was upgraded in the year. In addition, a new IP Phone system which can support work-from-home arrangements was installed and the security access control system was enhanced.



職業健康及安全

Occupational Health and Safety

公署持續取得「辦公室及公眾場所室內空氣質素檢定計劃」的「良好級」檢定證書。

We continued to attain the "Good" Class certification in the Indoor Air Quality Certification Scheme for Offices and Public Places.

本年度的工作仍受2019冠狀病毒病影響，因此公署採取多項特別措施，例如接種疫苗要求和在家工作安排，以及只接受已預約的市民到訪面見，務求在維持服務水平與保障辦公環境的安全健康之間取得平衡。受惠於資訊科技基礎設備的提升，我們能夠向市民提供無間斷的服務。

The COVID-19 pandemic continued to impact on our work this year. Special measures, such as vaccination requirements, work-from-home arrangements and face-to-face meetings only by appointment, were in place to balance the need for business continuity and providing a safe and healthy working environment for our staff. With enhanced ICT infrastructure, we managed to maintain uninterrupted public access to our services.



市民對本署服務的意見

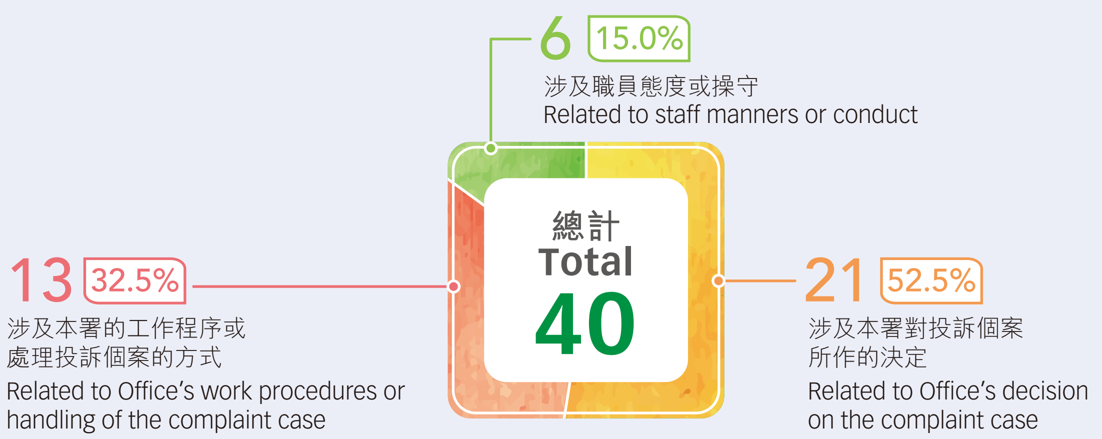
本年度，我們完成處理30宗市民對公署的投訴，內容涉及職員態度及／或工作程序。這些投訴皆反映個別人士對本署服務的期望。本署對每宗投訴均嚴肅處理及仔細調查。這些個案當中，有兩宗經本署調查後認為職員確有不足之處，署方已為有關職員提供輔導。另外，超過半數個案源於投訴人不滿意本署就其投訴政府部門或公營機構所作的結論和決定。我們已向投訴人解釋，若對調查結果有異議，可按既定機制提出重新評審或覆檢個案的要求。無論如何，我們重視市民表達的所有意見，並會從中汲取經驗，藉以審視和改善服務。

Feedback on Our Service

We concluded 30 complaints against the Office concerning staff manners and/or our work procedures in the year, each representing an individual's expectations of our services. We took these complaints seriously and investigate each of them carefully. Inadequacy on the part of our staff was found in two cases, on which we followed up with counselling of the staff members concerned. Over half of the complaints against this Office stemmed from complainants' dissatisfaction with our conclusions and decisions on their cases against Government departments and public organisations. We explained to the complainants that for dispute over our findings, there was an established mechanism for re-assessment or review. In any event, these views and feedback offered much food for thought for us to review and improve our services.

對本署的投訴性質

Nature of complaints against the Office



註： 一宗投訴個案可能涉及多種性質。

Note: One complaint case may have more than one nature.



附錄
APPENDICES

《申訴專員條例》附表所列機構一覽
List of Scheduled Organisations

條例（第397章）附表1第1部所列機構[1]
Organisations Listed in Part 1 of Schedule 1, Cap. 397[1]

按英文字母順序排列
in alphabetical order

機構	Organisation	簡稱 Abbreviation
會計及財務匯報局	Accounting and Financial Reporting Council	AFRC
漁農自然護理署	Agriculture, Fisheries and Conservation Department	AFCD
機場管理局	Airport Authority	AA
司法機構政務長轄下所有法院與審裁處的登記處及行政辦事處	All registries and administrative offices of courts and tribunals for which the Judiciary Administrator has responsibility	JA
建築署	Architectural Services Department	ArchSD
審計署	Audit Commission	Aud
醫療輔助隊	Auxiliary Medical Service	AMS
醫療輔助隊（政府部門）	Auxiliary Medical Service (Government department)	AMS
屋宇署	Buildings Department	BD
政府統計處	Census and Statistics Department	C&SD
民眾安全服務隊	Civil Aid Service	CAS
民眾安全服務處（政府部門）	Civil Aid Service (Government department)	CAS
民航處	Civil Aviation Department	CAD
土木工程拓展署	Civil Engineering and Development Department	CEDD
公司註冊處	Companies Registry	CR
競爭事務委員會	Competition Commission	ComC
消費者委員會	Consumer Council	CC
懲教署	Correctional Services Department	CSD
香港海關	Customs and Excise Department	C&ED
衞生署	Department of Health	DH
律政司	Department of Justice	DoJ
渠務署	Drainage Services Department	DSD
機電工程署	Electrical and Mechanical Services Department	EMSD
僱員再培訓局	Employees Retraining Board	ERB
環境保護署	Environmental Protection Department	EPD
平等機會委員會	Equal Opportunities Commission	EOC
地產代理監管局	Estate Agents Authority	EAA
消防處	Fire Services Department	FSD
食物環境衞生署	Food and Environmental Hygiene Department	FEHD

《申訴專員條例》附表所列機構一覽
List of Scheduled Organisations

機構	Organisation	簡稱 Abbreviation
行政長官辦公室總務室	General Office of the Chief Executive's Office	CEO
政府飛行服務隊	Government Flying Service	GFS
政府化驗所	Government Laboratory	GovtLab
政府物流服務署	Government Logistics Department	GLD
政府產業署	Government Property Agency	GPA
政府總部	Government Secretariat	GS
– 政務司司長辦公室	– Chief Secretary for Administration's Office	CSO
– 政務司司長私人辦公室	– Chief Secretary for Administration's Private Office	CSPO
– 公務員事務局	– Civil Service Bureau	CSB
– 商務及經濟發展局	– Commerce and Economic Development Bureau	CEDB
– 政制及內地事務局	– Constitutional and Mainland Affairs Bureau	CMAB
– 文化體育及旅遊局	– Culture, Sports and Tourism Bureau	CSTB
– 發展局	– Development Bureau	DEVB
– 教育局	– Education Bureau	EDB
– 環境及生態局（前身為環境局）	– Environment and Ecology Bureau (formerly known as Environment Bureau)	EEB
– 財政司司長辦公室	– Financial Secretary's Office	FSO
– 財政司司長私人辦公室	– Financial Secretary's Private Office	FSPO
– 財經事務及庫務局	– Financial Services and the Treasury Bureau	FSTB
– 醫務衞生局（前身為食物及衞生局）	– Health Bureau (formerly known as Food and Health Bureau)	HHB
– 民政及青年事務局（前身為民政事務局）	– Home and Youth Affairs Bureau (formerly known as Home Affairs Bureau)	HYAB
– 房屋局（前身為運輸及房屋局）	– Housing Bureau (formerly known as Transport and Housing Bureau)	HB
– 創新科技及工業局（前身為創新及科技局）[2]	– Innovation, Technology and Industry Bureau (formerly known as Innovation and Technology Bureau)[2]	ITIB
– 勞工及福利局	– Labour and Welfare Bureau	LWB
– 律政司司長辦公室	– Secretary for Justice's Office	SJO
– 保安局	– Security Bureau	SB
– 運輸及物流局（前身為運輸及房屋局）	– Transport and Logistics Bureau (formerly known as Transport and Housing Bureau)	TLB

《申訴專員條例》附表所列機構一覽
List of Scheduled Organisations

機構	Organisation	簡稱 Abbreviation
路政署	Highways Department	HyD
民政事務總署	Home Affairs Department	HAD
香港藝術發展局	Hong Kong Arts Development Council	HKADC
香港房屋委員會	Hong Kong Housing Authority	HKHA
香港房屋協會	Hong Kong Housing Society	HKHS
香港金融管理局	Hong Kong Monetary Authority	HKMA
香港天文台	Hong Kong Observatory	HKO
香港體育學院有限公司	Hong Kong Sports Institute Limited	HKSIL
醫院管理局	Hospital Authority	HA
房屋署	Housing Department	HD
入境事務處	Immigration Department	ImmD
政府新聞處	Information Services Department	ISD
税務局	Inland Revenue Department	IRD
保險業監管局	Insurance Authority	IA
知識產權署	Intellectual Property Department	IPD
投資推廣署	Invest Hong Kong	InvestHK
公務及司法人員薪俸及服務條件諮詢委員會聯合秘書處	Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service	JSSCS
九廣鐵路公司	Kowloon-Canton Railway Corporation	KCRC
勞工處	Labour Department	LD
土地註冊處	Land Registry	LR
地政總署	Lands Department	LandsD
法律援助署	Legal Aid Department	LAD
立法會秘書處	Legislative Council Secretariat	LCS
康樂及文化事務署	Leisure and Cultural Services Department	LCSD
強制性公積金計劃管理局	Mandatory Provident Fund Schemes Authority	MPFA
海事處	Marine Department	MD
通訊事務管理局辦公室	Office of the Communications Authority	OFCA
破產管理署	Official Receiver's Office	ORO
規劃署	Planning Department	PlanD
郵政署	Post Office	PO
個人資料私隱專員	Privacy Commissioner for Personal Data	PCPD
物業管理業監管局	Property Management Services Authority	PMSA

《申訴專員條例》附表所列機構一覽
List of Scheduled Organisations

機構	Organisation	簡稱 Abbreviation
香港電台	Radio Television Hong Kong	RTHK
差餉物業估價署	Rating and Valuation Department	RVD
選舉事務處	Registration and Electoral Office	REO
證券及期貨事務監察委員會	Securities and Futures Commission	SFC
社會福利署	Social Welfare Department	SWD
香港考試及評核局	The Hong Kong Examinations and Assessment Authority	HKEAA
工業貿易署	Trade and Industry Department	TID
運輸署	Transport Department	TD
旅遊業監管局	Travel Industry Authority	TIA
庫務署	Treasury	Try
大學教育資助委員會秘書處	University Grants Committee, Secretariat	UGC
市區重建局	Urban Renewal Authority	URA
職業訓練局	Vocational Training Council	VTC
水務署	Water Supplies Department	WSD
西九文化區管理局	West Kowloon Cultural District Authority	WKCDA
在職家庭及學生資助事務處	Working Family and Student Financial Assistance Agency	WFSFAA

條例（第397章）附表1第2部所列機構
Organisations Listed in Part 2 of Schedule 1, Cap. 397

機構	Organisation	簡稱 Abbreviation
廉政公署	Independent Commission Against Corruption	ICAC
香港輔助警察隊	Hong Kong Auxiliary Police Force	HKAPF
香港警務處	Hong Kong Police Force	HKPF
公務員敘用委員會秘書處	Secretariat of the Public Service Commission	PSC

註1. 政府新架構於2022年7月1日開始實行。本附錄所列為架構重組後的決策局名稱。
註2. 創新科技署、政府資訊科技總監辦公室及效率促進辦公室隸屬創新科技及工業局。
Note 1. Re-organisation of the government structure took effect from 1 July 2022. The above are the names of the policy bureaux after the re-organisation.
Note 2. The Innovation and Technology Commission, the Office of the Government Chief Information Officer and the Efficiency Office are under the Innovation, Technology and Industry Bureau.

對投訴不予跟進或不展開調查的情況
Circumstances where Complaints are not Followed up or Investigated

不受申訴專員調查的行動 – 香港法例第397章附表2

1. 保安、防衛或國際關係
2. 法律程序或檢控任何人的決定
3. 行政長官行使權力赦免罪犯
4. 合約或商業交易
5. 人事方面的事宜
6. 政府頒授勳銜、獎賞或特權
7. 行政長官親自作出的行動
8. 有關施加或更改土地權益條款的決定
9. 與《香港公司收購、合併及股份回購守則》有關的行動
10. 香港輔助警察隊、香港警務處或廉政公署就防止及調查任何罪行而採取的行動

Actions not Subject to Investigation – Schedule 2, Cap. 397

1. Security, defence or international relations
2. Legal proceedings or prosecution decisions
3. Exercise of power to pardon criminals
4. Contractual or other commercial transactions
5. Personnel matters
6. Grant of honours, awards or privileges by Government
7. Actions by the Chief Executive personally
8. Imposition or variation of conditions of land grant
9. Actions in relation to Hong Kong Codes on Takeovers and Mergers and Share Buy-backs
10. Crime prevention and investigation actions by the Hong Kong Auxiliary Police Force, the Hong Kong Police Force or the Independent Commission Against Corruption

調查投訴的限制 – 香港法例第397章第10(1)條

1. 投訴人對投訴事項已知悉超過24個月
2. 投訴由匿名者提出
3. 投訴人無從識別或下落不明
4. 投訴並非由感到受屈的人士或適當代表提出
5. 投訴人及投訴事項與香港並無任何關係
6. 投訴人有權利根據法律程序（司法覆核除外）提出上訴或尋求補救辦法

Restrictions on Investigation of Complaints – Section 10(1), Cap. 397

1. Complainant having knowledge of subject of complaint for more than 24 months
2. Complaint made anonymously
3. Complainant not identifiable or traceable
4. Complaint not made by person aggrieved or suitable representative
5. Subject of complaint and complainant having no connection with Hong Kong
6. Statutory right of appeal or remedy by way of legal proceedings (except judicial review) being available to complainant

申訴專員可決定不展開調查的情況 – 香港法例第397章第10(2)條

1. 以前曾調查性質相近的投訴，而結果顯示並無行政失當之處
2. 投訴關乎微不足道的事
3. 投訴事屬瑣屑無聊、無理取鬧或非真誠作出
4. 因其他理由而無須調查（例如經正式審議和授權程序制定的政策）

Circumstances where The Ombudsman may Decide not to Investigate – Section 10(2), Cap. 397

1. Investigation of similar complaints before revealed no maladministration
2. Subject of complaint is trivial
3. Complaint is frivolous or vexatious or is not made in good faith
4. Investigation is, for any other reason, unnecessary (for example, policy made with proper authority following a due process)

個案數字
Caseload

		報告年度[1] Reporting year[1]				
		18/19	19/20	20/21	21/22	22/23
查詢	Enquiries	10,403	8,581	7,505	8,851	9,279
投訴	Complaints					
(a) 須處理的投訴個案	(a) For processing	5,808	20,737	30,713	5,626	5,951
– 接到的投訴	– Received	4,991[349]	19,767[15,034]	29,814[25,155]	4,934[140]	5,357[233]
– 由上年度轉入	– Brought forward	817	970	899	692	594
(b) 已完成的投訴個案	(b) Completed	4,838[353]	19,838[15,040]	30,021[25,155]	5,032[135]	5,323[254]
已跟進並終結	Pursued and concluded	2,912[344]	2,807[326]	2,826[249]	2,739[102]	2,558[138]
– 經查訊後終結[2]	– By inquiry[2]	2,502[326]	2,418[217]	2,480[246]	2,432[102]	2,112[119]
– 經全面調查後終結[3]	– By full investigation[3]	205[18]	240[109]	167[3]	92	141[16]
– 經調解後終結[4]	– By mediation[4]	205	149	179	215	305[3]
經評審並終結	Assessed and closed	1,926[9]	17,031[14,714]	27,195[24,906]	2,293[33]	2,765[116]
– 缺乏充分理據跟進[5]	– Insufficient grounds to pursue[5]	1,037[9]	8,676[7,496]	1,295[203]	1,171[6]	1,787[85]
– 受條例所限不得調查[6]	– Legally bound[6]	889	8,355[7,218]	25,900[24,703]	1,122[27]	978[31]
(c) 已完成的投訴個案百分比= (b)/(a)	(c) Percentage completed = (b)/(a)	83.3%	95.7%	97.7%	89.4%	89.5%
(d) 轉撥下年度= (a) – (b)	(d) Carried forward = (a) – (b)	970	899	692	594	628
已完成的主動調查數目	Direct investigations completed	12	10	9	8	9

註1. 自每年4月1日至翌年3月31日。
註2. 根據《申訴專員條例》第11A條跟進的一般性質的個案。
註3. 根據《申訴專員條例》第12條跟進的較複雜的個案，當中可能涉及嚴重的行政失當、行政體制上的流弊等。
註4. 根據《申訴專員條例》第11B條跟進的個案，當中不涉及行政失當，或只涉及輕微的行政失當。
註5. 基於缺乏表面證據、所涉機構正採取行動，或投訴人只是表達意見等原因而不予跟進並已終結的個案。
註6. 不在本署職權範圍內，或受《申訴專員條例》所限不得調查。
[ ] 表示屬於同類主題投訴個案的數目。
– 有關上表使用的詞彙的詳細定義，請參閱第一章「用語詞彙」。

Note 1. From 1 April to 31 March of the next year.
Note 2. Pursued under section 11A of The Ombudsman Ordinance, for general cases.
Note 3. Pursued under section 12 of The Ombudsman Ordinance, for complex cases possibly involving serious maladministration, systemic flaws, etc.
Note 4. Pursued under section 11B of The Ombudsman Ordinance, for cases involving no, or only minor, maladministration.
Note 5. Not pursued but closed for reasons such as lack of *prima facie* evidence, organisation concerned is taking action, mere expression of opinion.
Note 6. Outside the Office's jurisdiction or restricted by The Ombudsman Ordinance.
[ ] Number of topical complaints.
– See "Glossary of Terms" in Chapter 1 for detailed definitions of the above terms.

接到及已跟進並終結的投訴個案
Complaints Received and Complaints Pursued & Concluded

機構	Organisation	接到的投訴個案數目 No. of complaints received	已跟進並終結的投訴個案數目[1] No. of complaints pursued and concluded[1]
漁農自然護理署	Agriculture, Fisheries and Conservation Department	43	18
機場管理局	Airport Authority	7	4
建築署	Architectural Services Department	9	8
審計署	Audit Commission	1	0
醫療輔助隊	Auxiliary Medical Service	1	0
屋宇署	Buildings Department	222	110
政府統計處	Census and Statistics Department	3	0
民眾安全服務處	Civil Aid Service	8	1
民航處	Civil Aviation Department	5	4
土木工程拓展署	Civil Engineering and Development Department	15	12
公司註冊處	Companies Registry	21	5
競爭事務委員會	Competition Commission	2	0
消費者委員會	Consumer Council	26	6
懲教署	Correctional Services Department	37	22
香港海關	Customs and Excise Department	39	12
衞生署	Department of Health	277	196
律政司	Department of Justice	10	5
渠務署	Drainage Services Department	15	3
效率促進辦公室	Efficiency Office	67	48
機電工程署	Electrical and Mechanical Services Department	25	6
僱員再培訓局	Employees Retraining Board	9	1
環境保護署	Environmental Protection Department	73	42
平等機會委員會	Equal Opportunities Commission	24	1
地產代理監管局	Estate Agents Authority	15	19
消防處	Fire Services Department	37	14
食物環境衞生署	Food and Environmental Hygiene Department	455	251

接到及已跟進並終結的投訴個案
Complaints Received and Complaints Pursued & Concluded

機構	Organisation	接到的投訴個案數目 No. of complaints received	已跟進並終結的投訴個案數目[1] No. of complaints pursued and concluded[1]
行政長官辦公室總務室	General Office of the Chief Executive's Office	9	4
政府飛行服務隊	Government Flying Service	0	1
政府物流服務署	Government Logistics Department	4	0
政府產業署	Government Property Agency	2	0
政府總部	Government Secretariat		
– 政務司司長辦公室	– Chief Secretary for Administration's Office	145	93
– 公務員事務局	– Civil Service Bureau	31	16
– 商務及經濟發展局	– Commerce and Economic Development Bureau	2	2
– 政制及內地事務局	– Constitutional and Mainland Affairs Bureau	3	0
– 文化體育及旅遊局	– Culture, Sports and Tourism Bureau	1	0
– 發展局	– Development Bureau	23	8
– 教育局	– Education Bureau	76	43
– 環境局	– Environment Bureau	2	1
– 環境及生態局	– Environment and Ecology Bureau	2	0
– 財政司司長辦公室	– Financial Secretary's Office	3	0
– 財經事務及庫務局	– Financial Services and the Treasury Bureau	68	27
– 食物及衞生局	– Food and Health Bureau	15	12
– 醫務衞生局	– Health Bureau	55	29
– 民政事務局	– Home Affairs Bureau	3	4
– 民政及青年事務局	– Home and Youth Affairs Bureau	7	2
– 房屋局	– Housing Bureau	21	14
– 勞工及福利局	– Labour and Welfare Bureau	4	2
– 政策創新與統籌辦事處	– Policy Innovation and Co-ordination Office	81	78
– 律政司司長辦公室	– Secretary for Justice's Office	1	0
– 保安局	– Security Bureau	12	6
– 運輸及房屋局	– Transport and Housing Bureau	9	9
– 運輸及物流局	– Transport and Logistics Bureau	4	0

附錄4 Appendix 4

接到及已跟進並終結的投訴個案
Complaints Received and Complaints Pursued & Concluded

機構	Organisation	接到的投訴個案數目 No. of complaints received	已跟進並終結的投訴個案數目[1] No. of complaints pursued and concluded[1]
路政署	Highways Department	67	26
民政事務總署	Home Affairs Department	149	81
香港房屋委員會	Hong Kong Housing Authority	29	14
香港房屋協會	Hong Kong Housing Society	19	13
香港金融管理局	Hong Kong Monetary Authority	31	9
香港天文台	Hong Kong Observatory	1	1
香港警務處	Hong Kong Police Force	93	10
醫院管理局	Hospital Authority	187	36
房屋署	Housing Department	536	302
入境事務處	Immigration Department	137	59
廉政公署	Independent Commission Against Corruption	4	0
政府新聞處	Information Services Department	2	1
税務局	Inland Revenue Department	60	26
創新科技署	Innovation and Technology Commission	5	2
保險業監管局	Insurance Authority	16	4
知識產權署	Intellectual Property Department	3	0
投資推廣署	Invest Hong Kong	1	0
司法機構政務長	Judiciary Administrator	16	7
九廣鐵路公司	Kowloon-Canton Railway Corporation	2	1
勞工處	Labour Department	45	19
土地註冊處	Land Registry	13	4
地政總署	Lands Department	227	126
法律援助署	Legal Aid Department	39	9
立法會秘書處	Legislative Council Secretariat	4	3
康樂及文化事務署	Leisure and Cultural Services Department	203	107
強制性公積金計劃管理局	Mandatory Provident Fund Schemes Authority	15	3
海事處	Marine Department	11	6
通訊事務管理局辦公室	Office of the Communications Authority	13	8
政府資訊科技總監辦公室	Office of the Government Chief Information Officer	15	13
破產管理署	Official Receiver's Office	9	4
其他機構[2]	Other Organisations[2]	368	4

接到及已跟進並終結的投訴個案
Complaints Received and Complaints Pursued & Concluded

機構	Organisation	接到的投訴個案數目 No. of complaints received	已跟進並終結的投訴個案數目[1] No. of complaints pursued and concluded[1]
規劃署	Planning Department	16	12
郵政署	Post Office	82	61
個人資料私隱專員	Privacy Commissioner for Personal Data	13	3
物業管理業監管局	Property Management Services Authority	42	18
香港電台	Radio Television Hong Kong	4	1
差餉物業估價署	Rating and Valuation Department	9	1
選舉事務處	Registration and Electoral Office	8	1
證券及期貨事務監察委員會	Securities and Futures Commission	130	107
社會福利署	Social Welfare Department	146	57
香港考試及評核局	The Hong Kong Examinations and Assessment Authority	4	5
工業貿易署	Trade and Industry Department	4	2
運輸署	Transport Department	379	173
旅遊業監管局	Travel Industry Authority	6	1
庫務署	Treasury	1	0
大學教育資助委員會秘書處	University Grants Committee, Secretariat	2	1
市區重建局	Urban Renewal Authority	22	6
職業訓練局	Vocational Training Council	9	7
水務署	Water Supplies Department	98	50
西九文化區管理局	West Kowloon Cultural District Authority	3	1
在職家庭及學生資助事務處	Working Family and Student Financial Assistance Agency	30	14
合計	**Total**	**5,357**	**2,558**

註1. 包括在上一個年度接到，但在本年度才完成跟進並終結的投訴個案。
註2. 「其他機構」是指不在《申訴專員條例》附表1內的機構。
註3. 政府新架構於2022年7月1日開始實行。本附錄所列包括架構重組前後的決策局名稱。
Note 1. Including the complaints received in the previous year but pursued and concluded in the prevailing year.
Note 2. “Other Organisations” are organisations falling outside Schedule 1 to The Ombudsman Ordinance.
Note 3. Re-organisation of the government structure took effect from 1 July 2022. The above incorporates the names of the policy bureaux before and after the re-organisation.

以查訊方式終結的投訴個案結果
Results of Complaints Concluded by Inquiry

機構	Organisation	以查訊方式終結的投訴個案數目 No. of complaints concluded by Inquiry	發現有缺失或不足之處的個案 Cases with inadequacies/ deficiencies found
漁農自然護理署	Agriculture, Fisheries and Conservation Department	14	3
機場管理局	Airport Authority	4	0
建築署	Architectural Services Department	8	1
屋宇署	Buildings Department	88	36
民眾安全服務處	Civil Aid Service	1	1
民航處	Civil Aviation Department	4	1
土木工程拓展署	Civil Engineering and Development Department	10	0
公司註冊處	Companies Registry	5	1
消費者委員會	Consumer Council	4	2
懲教署	Correctional Services Department	20	0
香港海關	Customs and Excise Department	11	2
衞生署	Department of Health	145	54
律政司	Department of Justice	5	1
渠務署	Drainage Services Department	3	0
效率促進辦公室	Efficiency Office	45	9
機電工程署	Electrical and Mechanical Services Department	4	0
環境保護署	Environmental Protection Department	36	4
平等機會委員會	Equal Opportunities Commission	1	0
地產代理監管局	Estate Agents Authority	19	2
消防處	Fire Services Department	11	0
食物環境衞生署	Food and Environmental Hygiene Department	213	51

以查訊方式終結的投訴個案結果
Results of Complaints Concluded by Inquiry

機構	Organisation	以查訊方式終結的投訴個案數目 No. of complaints concluded by Inquiry	發現有缺失或不足之處的個案 Cases with inadequacies/ deficiencies found
行政長官辦公室總務室	General Office of the Chief Executive's Office	4	0
政府總部	Government Secretariat		
– 政務司司長辦公室	– Chief Secretary for Administration's Office	50	7
– 公務員事務局	– Civil Service Bureau	15	6
– 商務及經濟發展局	– Commerce and Economic Development Bureau	2	0
– 發展局	– Development Bureau	8	1
– 教育局	– Education Bureau	36	3
– 環境局	– Environment Bureau	1	0
– 財經事務及庫務局	– Financial Services and the Treasury Bureau	20	4
– 食物及衞生局	– Food and Health Bureau	10	6
– 醫務衞生局	– Health Bureau	24	12
– 民政事務局	– Home Affairs Bureau	4	2
– 民政及青年事務局	– Home and Youth Bureau	2	0
– 房屋局	– Housing Bureau	10	0
– 勞工及福利局	– Labour and Welfare Bureau	2	0
– 政策創新與統籌辦事處	– Policy Innovation and Co-ordination Office	25	5
– 保安局	– Security Bureau	3	1
– 運輸及房屋局	– Transport and Housing Bureau	6	2
路政署	Highways Department	24	1
民政事務總署	Home Affairs Department	47	10
香港房屋委員會	Hong Kong Housing Authority	14	0
香港房屋協會	Hong Kong Housing Society	13	1
香港金融管理局	Hong Kong Monetary Authority	9	2

附錄5 Appendix 5

以查訊方式終結的投訴個案結果
Results of Complaints Concluded by Inquiry

機構	Organisation	以查訊方式終結的投訴個案數目 No. of complaints concluded by Inquiry	發現有缺失或不足之處的個案 Cases with inadequacies/ deficiencies found
香港天文台	Hong Kong Observatory	1	0
香港警務處	Hong Kong Police Force	9	2
醫院管理局	Hospital Authority	35	9
房屋署	Housing Department	278	23
入境事務處	Immigration Department	57	4
税務局	Inland Revenue Department	17	1
創新科技署	Innovation and Technology Commission	2	2
保險業監管局	Insurance Authority	4	0
司法機構政務長	Judiciary Administrator	7	0
九廣鐵路公司	Kowloon-Canton Railway Corporation	1	0
勞工處	Labour Department	18	0
土地註冊處	Land Registry	4	0
地政總署	Lands Department	109	29
法律援助署	Legal Aid Department	8	0
立法會秘書處	Legislative Council Secretariat	3	2
康樂及文化事務署	Leisure and Cultural Services Department	89	16
強制性公積金計劃管理局	Mandatory Provident Fund Schemes Authority	2	0
海事處	Marine Department	6	0
通訊事務管理局辦公室	Office of the Communications Authority	7	0
政府資訊科技總監辦公室	Office of the Government Chief Information Officer	11	1
破產管理署	Official Receiver's Office	4	0
其他機構[1]	Other Organisations[1]	4	0
規劃署	Planning Department	9	0
郵政署	Post Office	54	13
個人資料私隱專員	Privacy Commissioner for Personal Data	3	0
物業管理業監管局	Property Management Services Authority	5	2

以查訊方式終結的投訴個案結果
Results of Complaints Concluded by Inquiry

機構	Organisation	以查訊方式終結的投訴個案數目 No. of complaints concluded by Inquiry	發現有缺失或不足之處的個案 Cases with inadequacies/ deficiencies found
香港電台	Radio Television Hong Kong	1	0
差餉物業估價署	Rating and Valuation Department	1	1
選舉事務處	Registration and Electoral Office	1	0
證券及期貨事務監察委員會	Securities and Futures Commission	107	1
社會福利署	Social Welfare Department	54	6
香港考試及評核局	The Hong Kong Examinations and Assessment Authority	5	1
工業貿易署	Trade and Industry Department	2	0
運輸署	Transport Department	144	24
旅遊業監管局	Travel Industry Authority	1	0
大學教育資助委員會秘書處	University Grants Committee, Secretariat	1	1
市區重建局	Urban Renewal Authority	6	1
職業訓練局	Vocational Training Council	6	2
水務署	Water Supplies Department	44	6
在職家庭及學生資助事務處	Working Family and Student Financial Assistance Agency	12	0
合計	**Total**	**2,112**	**378**

註1. 「其他機構」是指不在《申訴專員條例》附表1內的機構。
註2. 政府新架構於2022年7月1日開始實行。本附錄所列包括架構重組前後的決策局名稱。
Note 1. “Other Organisations” are organisations falling outside Schedule 1 to The Ombudsman Ordinance.
Note 2. Re-organisation of the government structure took effect from 1 July 2022. The above incorporates the names of the policy bureaux before and after the re-organisation.

經全面調查後終結的個案索引
Index of Cases Concluded by Full Investigation

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
漁農自然護理署 Agriculture, Fisheries and Conservation Department			
2022/0835	未有妥善管理某自然教育中心 Failing to properly manage a nature education centre	不成立 Unsubstantiated	0
2022/2366	不人道對待流浪狗 Inhumane treatment of stray dogs	不成立 Unsubstantiated	0
2022/3305	防疫措施陸續放寬，但遲遲不重開轄下燒烤及露營地點，做法失當 Unreasonable delay in reopening barbeque sites and campsites under its management despite the phased relaxation of anti-epidemic measures	不成立 Unsubstantiated	0
2022/3368	防疫措施陸續放寬，但遲遲不重開轄下燒烤及露營地點，做法失當 Unreasonable delay in reopening barbeque sites and campsites under its management despite the phased relaxation of anti-epidemic measures	不成立 Unsubstantiated	0
屋宇署 Buildings Department			
2021/2055	(1) 沒有妥善跟進某顧問公司、工程承建商及註冊檢驗人員涉嫌違反《強制驗樓計劃及強制驗窗計劃作業守則2012》的投訴（不成立）； (2) 沒有妥善跟進工程承建商違反小型工程監管制度的問題（成立）；以及 (3) 向顧問公司職員透露投訴人的身份（成立） (1) Failing to properly follow up on the complaint against a consultant, a works contractor and registered inspectors for alleged non-compliance with the Code of Practice Notes for the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme 2012 (unsubstantiated); (2) Failing to properly follow up on the works contractor's non-compliance with the requirements under the Minor Works Control System (substantiated); and (3) Disclosing the complainant's identity to the consultant's staff (substantiated)	部分成立 Partially substantiated	2

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2021/4197	未有妥善監管承辦商就強制驗樓計劃進行的維修工程 Failing to properly monitor the repair works carried out by a contractor under the Mandatory Building Inspection Scheme	部分成立 Partially substantiated	0
2021/4354	沒有跟進某塑膠回收場違例搭建上蓋一事 Failing to follow up on the unauthorised erection of roof cover at a plastic recycling yard	不成立 Unsubstantiated	2
2022/0569A	滲水投訴覆函與滲水調查報告內容不相符 The reply letter of a water seepage complaint did not correspond with the relevant investigation reports	部分成立 Partially substantiated	3
2022/0975A	沒有妥善跟進某新界豁免管制屋宇有違規構築物的舉報 Failing to properly follow up on a report of unauthorised structures in a New Territories Exempted House	部分成立 Partially substantiated	1
2022/1851	錯誤評定投訴人不能視為自動勝任《2020年建築物（小型工程）（修訂）規例》下某項小型工程的註冊小型工程承建商（個人） Mistakenly assessed that the complainant could not be automatically regarded as a Registered Minor Works Contractor (Individual) for an item of minor works under the Building (Minor Works) (Amendment) Regulation 2020	不成立 Unsubstantiated	0
土木工程拓展署 Civil Engineering and Development Department			
2022/1038(I)	拒絕提供某公營房屋計劃的相關報告 Refusing to provide certain reports relating to a public housing project	不成立 Unsubstantiated	0
2022/2089(I)	無理拒絕披露一份涉及中部水域人工島研究的工作文件 Unreasonably refusing to provide a working paper relating to the Study on the Artificial Islands in the Central Waters	不成立 Unsubstantiated	0

經全面調查後終結的個案索引
Index of Cases Concluded by Full Investigation

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
懲教署 Correctional Services Department			
2021/4326D(I)	無理拒絕披露部門職員接受利益的統計數字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
2022/1648(I)	拒絕披露有關為在囚人士提供「去激化」更新計劃的資料 Refusing to disclose information about the de-radicalisation rehabilitation programmes offered to persons in custody	不成立 Unsubstantiated	0
香港海關 Customs and Excise Department			
2021/4326C(I)	無理拒絕披露部門職員接受利益的統計數字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
衞生署 Department of Health			
2022/0225	向投訴人和家人發出的檢疫令資料有誤，但職員未有妥善跟進問題 Making factual errors in the quarantine orders issued to the complainant and his family and failing to take proper follow-up action	部分成立 Partially substantiated	5
2022/0578	(1) 錯誤把沒有2019冠狀病毒病確診個案的大廈納入過去14天內有陽性檢測個案的住宅大廈名單（成立）； (2) 沒有向投訴人解釋及致歉（不成立）；以及 (3) 沒有妥善跟進（成立） (1) Mistakenly putting a building that did not involve any confirmed cases of COVID-19 on the list of residential buildings with cases tested positive within 14 days (substantiated); (2) Failing to explain and apologise to the complainant (unsubstantiated); and (3) Failing to take proper follow-up action (substantiated)	部分成立 Partially substantiated	3

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/0943	(1) 未有妥善及適時向投訴人五名家人發出隔離文件（部分成立）； (2) 在兩份隔離文件上串錯姓名（成立）；以及 (3) 熱線中心協調不足，職員重複索取投訴人家人的資料（成立） (1) Failing to properly and promptly issue isolation documents to the complainant's five family members (partially substantiated); (2) Spelling the name wrong on two of the isolation documents (substantiated); and (3) Lack of coordination between call centres, such that their staff repeatedly asked for information about the complainant's family members (substantiated)	成立 Substantiated	5
2022/1112(I)	(1) 延誤提供在香港沒有接種新冠疫苗人士的分項數字（成立）； (2) 未有披露部分投訴人所要求的沒有接種新冠疫苗人士的分項數字（成立）；以及 (3) 沒有向投訴人提供部門的聯絡電話號碼（投訴不成立，但機構另有缺失） (1) Delay in providing the breakdown figures of unvaccinated population against COVID-19 in Hong Kong (substantiated); (2) Failing to disclose part of the requested breakdown figures of unvaccinated population against COVID-19 (substantiated); and (3) Failing to provide a contact telephone number of the Department to the complainant (unsubstantiated but other inadequacies found)	部分成立 Partially substantiated	0
2022/1516A	未能解決投訴人上載新冠疫苗記錄到「安心出行」應用程式後出現的問題 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	部分成立 Partially substantiated	0

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2022/2418B	(1) 未有妥善跟進在圍封強檢行動中發現的確診個案，安排相關人士入住隔離設施（部分成立）；以及 (2) 未有適時發出隔離／檢疫文件（成立） (1) Failing to properly follow up on the COVID-19 cases identified during a "restriction-testing declaration" operation and arrange admission of the persons concerned to isolation facilities (partially substantiated); and (2) Failing to issue isolation/quarantine documents in a timely manner (substantiated)	部分成立 Partially substantiated	0
2022/2642	(1) 職員培訓不足，提供錯誤及前後不一的訊息（成立）；以及 (2) 職員辦事疏忽，令投訴人多次收到錯誤的檢疫文件（成立） (1) Providing incorrect and inconsistent information due to lack of staff training (substantiated); and (2) Staff negligence which resulted in the complainant's receiving a number of wrong quarantine documents (substantiated)	成立 Substantiated	0
2022/2837A	沒有妥善核對確診人士的個人資料，以致錯誤將投訴人家人的「安心出行」應用程式轉為紅色二維碼 Failing to properly verify the personal particulars of COVID-19 cases, causing the Vaccine Pass in the "LeaveHomeSafe" mobile app of the complainant's family member to mistakenly change to Red Code	成立 Substantiated	0
2022/2862	(1) 有關最新隔離及檢疫要求的資料只提供中英文版，而機場並無諮詢櫃檯（不成立）；以及 (2) 未能充分及有效提示外籍家庭傭工有關強制檢測的要求（不成立） (1) Providing information on the latest quarantine and testing requirements only in Chinese and English and having no enquiry help desk at the airport (unsubstantiated); and (2) Insufficient and ineffective reminders for foreign domestic helpers about the compulsory testing requirement (unsubstantiated)	不成立 Unsubstantiated	0

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效率促進辦公室 Efficiency Office			
2022/0871A	在第五波疫情期間，1823未能與運輸署就處理市民的電郵作出妥善安排 1823 having failed to make proper arrangement with the Transport Department regarding handling of emails from members of the public amid the fifth wave of COVID-19	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	1
2022/1516B	未能解決投訴人上載新冠疫苗記錄到「安心出行」應用程式後出現的問題 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the “LeaveHomeSafe” mobile app	不成立 Unsubstantiated	0
2022/2065	沒有回覆投訴，以及沒有應投訴人要求提供職員的姓名、職級和電話號碼 Failing to reply to a complaint and respond to the complainant’s request for the name, rank and telephone number of a staff member	成立 Substantiated	2
機電工程署 Electrical and Mechanical Services Department			
2022/1020A	未有就某專用石油氣加氣站的續約事宜進行諮詢 Failing to hold a consultation on the contract renewal of a dedicated liquefied petroleum gas filling station	不成立 Unsubstantiated	0
2022/2481	(1) 某項電力工程的驗收工作有遺漏（不成立）； (2) 無理要求投訴人先錄取警誡供詞，才立案處理他的舉報（不成立）；以及 (3) 沒有適當處理投訴人就上述電力工程涉嫌違反《電力條例》或相關附屬規例的舉報（成立） (1) Omission in the inspection of electrical works (unsubstantiated); (2) Unreasonably requiring the complainant to give a cautioned statement before initiating investigation into his report (unsubstantiated); and (3) Failing to properly handle the complainant’s report of suspected contraventions of the Electricity Ordinance or its subsidiary legislation (substantiated)	部分成立 Partially substantiated	2

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僱員再培訓局 Employees Retraining Board			
2022/1957	課程申請表上有關填報「最高學歷」的指示和說明不清晰 Unclear guidelines on and definition of the term "highest educational attainment" in the course application form	成立 Substantiated	1
環境保護署 Environmental Protection Department			
2021/3194	對某塑膠回收場造成的空氣污染問題跟進不力 Ineffective follow-up action on the air pollution caused by a plastic recycling yard	不成立 Unsubstantiated	0
2022/1020B	(1) 未有就某專用石油氣加氣站的續約事宜進行諮詢（成立）；以及 (2) 未有妥善跟進上述專用石油氣加氣站的噪音問題（不成立） (1) Failing to hold a consultation on the contract renewal of a dedicated liquefied petroleum gas filling station (substantiated); and (2) Failing to properly follow up on the problem of noise caused by the dedicated liquefied petroleum gas filling station (unsubstantiated)	部分成立 Partially substantiated	1
2022/2068B	(1) 沒有妥善處理某村屋非法排放污水的投訴（不成立）；以及 (2) 沒有回覆投訴人經1823作出的投訴（不成立） (1) Failing to properly handle a complaint about illegal discharge of effluent from a village house (unsubstantiated); and (2) Failing to reply to the complainant's complaint lodged with 1823 (unsubstantiated)	不成立 Unsubstantiated	1

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消防處 Fire Services Department			
2021/3999C	在巡視某跳蚤市場後，沒有妥善跟進市場的消防安全問題 Failing to properly follow up on the fire safety issue of a flea market after an on-site inspection	不成立 Unsubstantiated	0
2021/4326E(I)	無理拒絕披露部門職員接受利益的統計數字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
2022/3162D	沒有妥善跟進露宿者佔用某公眾碼頭的問題 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
食物環境衞生署 Food and Environmental Hygiene Department			
2021/3102	(1) 未有就某無牌食肆申請封閉命令（投訴不成立，但機構另有缺失）；以及 (2) 沒有回覆投訴人的查詢（成立） (1) Failing to apply for a Closure Order against an unlicensed restaurant (unsubstantiated but other inadequacies found); and (2) Failing to respond to the complainant's enquiry (substantiated)	部分成立 Partially substantiated	8
2022/0569B	滲水投訴覆函與滲水調查報告內容不相符 The reply letter of a water seepage complaint did not correspond with the relevant investigation reports	部分成立 Partially substantiated	3
2022/1624	就某屋苑多間店鋪在行人路擺放貨物造成阻礙執法不力 Ineffective enforcement action against the goods placed on a pavement by many shops in a housing estate	不成立 Unsubstantiated	0
2022/1726	沒有妥善處理某菜檔佔用路口、在公眾地方擺放發泡膠箱，以及在附近堆積垃圾的問題 Failing to properly tackle the problems caused by a vegetable stall's occupation of a road junction, placing polyfoam boxes in public places and piling refuse in the vicinity	不成立 Unsubstantiated	0

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2022/1752A	就某屋苑的店鋪非法擴展營業範圍及無牌小販阻塞附近的緊急車輛通道執法不力 Ineffective enforcement action against unauthorised extension of business area by shops in a housing estate and obstruction to a nearby emergency vehicular access by unlicensed hawkers	不成立 Unsubstantiated	0
2022/2068A	沒有妥善處理某村屋非法排放污水而造成衛生滋擾的投訴 Failing to properly handle a complaint about environmental hygiene nuisance caused by illegal discharge of effluent from a village house	不成立 Unsubstantiated	0
2022/2902	(1) 未有監察某鄉事委員會簽發原居民證明書的程序（不成立）；以及 (2) 欠缺上訴機制，處理鄉事委員會拒絕的申請（不成立） (1) Failing to monitor a rural committee in the process of issuing certificates of indigenous residents (unsubstantiated); and (2) Lack of an appeal mechanism for cases turned down by the rural committee (unsubstantiated)	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	1
2022/3162B	沒有妥善跟進露宿者佔用某公眾碼頭的問題 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
政府飛行服務隊 Government Flying Service			
2021/4326G(I)	無理拒絕披露部門職員接受利益的統計數字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
政府總部 – 公務員事務局 Government Secretariat – Civil Service Bureau			
2022/2257	在投訴人父親透過「疫苗到戶接種服務」接種第一劑新冠疫苗後，未有適時安排他接種第二劑，直至接到投訴才作跟進，而且接種當天的安排混亂 Failing to arrange timely administration of the second dose of COVID-19 vaccine for the complainant's father after he had received the first dose under the Home Vaccination Service, taking no follow-up action before receiving the complaint, and the arrangement on the day of vaccine administration being chaotic	不成立 Unsubstantiated	0

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recommendations
政府總部 – 教育局 Government Secretariat – Education Bureau			
2021/3695	(1) 包庇某教師及對已離職教師懷疑專業失德的行為缺乏監管（不成立）； (2) 對某教師及某學院的投訴處理不善（部分成立）；以及 (3) 對該局職員的投訴處理欠妥（不成立） (1) Harbouring a teacher and lack of regulation of alleged misconduct of resigned teachers (unsubstantiated); (2) Improper handling of a complaint against a teacher and an institute (partially substantiated); and (3) Improper handling of a complaint against the Bureau's staff (unsubstantiated)	部分成立 Partially substantiated	3
2021/4263	就2019冠狀病毒病疫情期間恢復全日面授課堂和課外活動，為本地學校和國際學校定出不同要求，做法不合理；該局亦沒有告知市民有關要求 Unreasonably having different requirements for local and international schools to resume full-day face-to-face classes and extra-curricular activities during the COVID-19 epidemic and failing to inform the public of such requirements	不成立 Unsubstantiated	2
2021/4427(I)	拒絕提供小學生退學的統計數據 Refusing to provide statistics relating to dropouts of primary schools	不成立 Unsubstantiated	0
2022/1959	(1) 沒有認真跟進投訴人指學校輔導主任對她女兒作出不恰當肢體接觸的投訴（部分成立）；以及 (2) 容許學校拖延處理她查看閉路電視片段的要求（不成立） (1) Perfunctory follow-up on the complainant's allegation against her daughter's guidance teacher for improper physical contact (partially substantiated); and (2) Allowing the school to delay processing her request for viewing the closed-circuit television footage (unsubstantiated)	部分成立 Partially substantiated	3

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政府總部 – 財經事務及庫務局 Government Secretariat – Financial Services and the Treasury Bureau			
2022/2679(I)	拒絕提供有關「未來基金」轄下「香港增長組合」的資金配置資料 Refusing to provide information on allocations of Hong Kong Growth Portfolio of Future Fund	不成立 Unsubstantiated	0
政府總部 – 食物及衞生局 Government Secretariat – Food and Health Bureau			
2022/1154B	(1) 未有調配足夠資源以應付大量申報非本地新冠疫苗接種記錄的申請（成立）；以及 (2) 指定郵政局接受申報的每日名額不足夠，並質疑是否有需要親身申報有關記錄（成立） (1) Failing to deploy sufficient resources to deal with a large amount of applications for declaring non-local vaccination records (substantiated); and (2) Inadequate daily quota of registration service at designated post offices and doubt on whether the declaration must be made in person (substantiated)	成立 Substantiated	0
2022/1535	向長者免費派發快速抗原測試套裝的安排混亂，協調不足 Confusing arrangements and lack of coordination in distribution of free rapid antigen test kits to elderly persons	部分成立 Partially substantiated	2
政府總部 – 醫務衞生局 Government Secretariat – Health Bureau			
2022/0234C	沒有在圍封強檢行動完結前上門為投訴人的父母採樣 Failing to arrange door-to-door specimen collection for the complainant's parents before ceasing of the "restriction-testing declaration" operation	成立 Substantiated	1
2022/1516D	未能解決投訴人上載新冠疫苗記錄到「安心出行」應用程式後出現的問題 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	0

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2022/2195	給投訴人的回覆有欠詳盡，並無説明應向哪個部門舉報違法事宜 Giving an inadequate reply to the complainant, without telling him to which departments reports of contravention could be made	成立 Substantiated	1
2022/2418A	未有妥善跟進在圍封強檢行動中發現的確診個案，安排相關人士入住隔離設施 Failing to properly follow up on the COVID-19 cases identified during a “restriction-testing declaration” operation and arrange admission of the persons concerned to isolation facilities	部分成立 Partially substantiated	0
政府總部 – 房屋局 Government Secretariat – Housing Bureau			
2022/2400(1)	(1) 前運輸及房屋局和接手處理的房屋局將某塊用地作過渡性房屋用途，漠視居民對政府所承諾作休憩用地的渴望和意見（不成立）；以及 (2) 成功申辦的團體獲豁免有關網站訂明的要求，無須申請臨時用途修訂規劃許可和進行公眾諮詢，對其他申辦團體不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents’ expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2

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2022/2400(2)	(1) 前運輸及房屋局和接手處理的房屋局將某塊用地作過渡性房屋用途，漠視居民對政府所承諾作休憩用地的渴望和意見（不成立）；以及 (2) 成功申辦的團體獲豁免有關網站訂明的要求，無須申請臨時用途修訂規劃許可和進行公眾諮詢，對其他申辦團體不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2
2022/2400(3)	(1) 前運輸及房屋局和接手處理的房屋局將某塊用地作過渡性房屋用途，漠視居民對政府所承諾作休憩用地的渴望和意見（不成立）；以及 (2) 成功申辦的團體獲豁免有關網站訂明的要求，無須申請臨時用途修訂規劃許可和進行公眾諮詢，對其他申辦團體不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2

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2022/2400(4)	(1) 前運輸及房屋局和接手處理的房屋局將某塊用地作過渡性房屋用途，漠視居民對政府所承諾作休憩用地的渴望和意見（不成立）；以及 (2) 成功申辦的團體獲豁免有關網站訂明的要求，無須申請臨時用途修訂規劃許可和進行公眾諮詢，對其他申辦團體不公（部分成立） (1) The then Transport and Housing Bureau and the subsequent Housing Bureau allocated a site for transitional housing, ignoring local residents' expectation and views that it would be used as open space as planned by the Government (unsubstantiated); and (2) Exempting the successful applicant organisation from the requirements set out on the website concerned, i.e. applying for amendment to planning permission for temporary use and launching public consultation, which was unfair to other applicant organisations (partially substantiated)	部分成立 Partially substantiated	2
政府總部 – 政策創新與統籌辦事處 Government Secretariat – Policy Innovation and Co-ordination Office			
2022/1720A	(1) 延誤處理投訴人就臨時失業支援計劃提出的申請（不成立）； (2) 無理拒絕其申請（不成立）；以及 (3) 在覆核其申請時，多次要求投訴人提供同類資料（不成立） (1) Delay in processing the complainant's application for the Temporary Unemployment Relief Scheme (unsubstantiated); (2) Unreasonably refusing the application (unsubstantiated); and (3) Having repeatedly requested the complainant to provide similar information during the review process (unsubstantiated)	不成立 Unsubstantiated	0

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政府總部 – 保安局 Government Secretariat – Security Bureau			
2021/4326A(I)	無理拒絕涉及紀律部隊職員接受利益的統計數字的覆檢申請 Unreasonably refusing requests for review concerning the statistics on acceptance of advantages by staff of disciplined services	不成立 Unsubstantiated	0
2022/0909	對某社區隔離設施管理不善，沒有妥善跟進地面有積水的投訴 Poor management of a community isolation facility such that the Bureau failed to properly follow up on a complaint about pools of water on the ground	不成立 Unsubstantiated	0
2022/3105(I)	無理拒絕提供所有社區隔離設施自啟用以來的每日入住數字 Unreasonably refusing to provide the daily occupancy statistics of all the community isolation facilities since they were in use	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	0
政府總部 – 運輸及房屋局 Government Secretariat – Transport and Housing Bureau			
2021/3870A(I)	沒有按《公開資料守則》訂明的時限回覆索取資料要求 Failing to respond to a request for information within the target response time prescribed in the Code on Access to Information	成立 Substantiated	0
2022/1348	(1) 不當地將一塊用地作過渡性房屋用途，漠視居民對改善區內康樂設施的訴求，有違他們對事涉用地發展的合理期望（不成立）；以及 (2) 沒有按既定程序就事涉項目進行諮詢，公布的資訊亦有誤導之嫌（部分成立） (1) Inappropriate use of a site for transitional housing, ignoring local residents' demand for more recreational facilities and acting against their reasonable expectation of the site development (unsubstantiated); and (2) Failing to follow the established procedures to hold a consultation on the project and releasing misleading information (partially substantiated)	部分成立 Partially substantiated	2

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2022/1584	(1) 不當地將一塊用地作過渡性房屋用途，漠視居民對改善區內康樂設施的訴求，有違他們對事涉用地發展的合理期望（不成立）；以及 (2) 沒有按既定程序就事涉項目進行諮詢，公布的資訊亦有誤導之嫌（部分成立） (1) Inappropriate use of a site for transitional housing, ignoring local residents' demand for more recreational facilities and acting against their reasonable expectation of the site development (unsubstantiated); and (2) Failing to follow the established procedures to hold a consultation on the project and releasing misleading information (partially substantiated)	部分成立 Partially substantiated	2
路政署 Highways Department			
2022/1123	未有修葺某路段的坑洞，卻聲稱已完成維修 Failing to repair a pothole on a road but claiming to have done it	不成立 Unsubstantiated	0
民政事務總署 Home Affairs Department			
2021/3417	延誤告知投訴人，某過渡性房屋事宜的諮詢期限已延長 Delay in informing the complainant of the extended consultation period concerning a transitional housing estate	成立 Substantiated	0
2021/3748(I)	沒有按《公開資料守則》訂明的時限回覆索取資料要求 Failing to respond to a request for information within the target response time prescribed in the Code on Access to Information	成立 Substantiated	1
2021/4203B	沒有妥善作出協調，以解決運輸署與地政總署之間就處理露天公共運輸交匯處內違泊單車的權責分歧 Failing to properly coordinate the Transport Department and the Lands Department to resolve the dispute on the responsibility for handling the illegally parked bicycles at uncovered Public Transport Interchanges	部分成立 Partially substantiated	0

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2022/0234A	(1) 沒有在圍封強檢行動完結前上門為投訴人的父母採樣（投訴不成立，但機構另有缺失）；以及 (2) 誤指投訴人的父母可用糞便樣本瓶收集樣本以進行檢測（成立）	部分成立	1
	(1) Failing to arrange door-to-door specimen collection for the complainant's parents before ceasing of the "restriction-testing declaration" operation (unsubstantiated but other inadequacies found); and (2) Wrongly advising the complainant's parents to use stool specimen bottle for specimen collection (substantiated)	Partially substantiated	
2022/0844B	(1) 無理規定「物業管理業界（環境衛生和保安人員）抗疫支援計劃」的申請必須由大廈、商廈、工廠的業主立案法團提出，否則前線保安員不會獲發津貼（不成立）；以及 (2) 計劃的申請安排不符合相關政策，以致有保安員未能獲發津貼（不成立）	不成立	0
	(1) Unreasonably requiring that applications for the allowance under the Anti-epidemic Support Scheme for Environmental Hygiene and Security Staff in Property Management Sector must be submitted by owners' corporations of buildings, commercial buildings and factories, otherwise frontline security guards would not be granted the allowance (unsubstantiated); and (2) Scheme arrangement was not in line with the relevant policy, making some security guards unable to receive the allowance (unsubstantiated)	Unsubstantiated	
2022/1720B	(1) 延誤處理投訴人就臨時失業支援計劃提出的申請（不成立）； (2) 無理拒絕其申請（不成立）；以及 (3) 在覆核其申請時，多次要求投訴人提供同類資料（不成立）	不成立	0
	(1) Delay in processing the complainant's application for the Temporary Unemployment Relief Scheme (unsubstantiated); (2) Unreasonably refusing the application (unsubstantiated); and (3) Having repeatedly requested the complainant to provide similar information during the review process (unsubstantiated)	Unsubstantiated	

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/2422A	對某單車店長期霸佔公眾單車泊位所採取的行動／措施不足或無效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for illegal occupation of public bicycle parking spaces	不成立 Unsubstantiated	0
香港警務處 Hong Kong Police Force			
2021/4326F(I)	無理拒絕披露部門職員接受利益的統計數字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
房屋署 Housing Department			
2022/0166	編配租住公屋單位給申訴人時，未有考慮其處境 Failing to consider the complainant's situation when allocating public rental housing units to her	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	4
2022/0234B	沒有在圍封強檢行動完結前上門為投訴人的父母採樣 Failing to arrange door-to-door specimen collection for the complainant's parents before ceasing of the "restriction-testing declaration" operation	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	1
2022/2046	投訴人表明反對，但該署仍繼續以郵寄信件的方式聯絡投訴人 Continuing to communicate with the complainant by post despite the latter's objection to such arrangement	成立 Substantiated	2
2022/2185	未有監察某公共屋邨的管理公司如何處理違例裝設曬衣架的問題 Failing to monitor the handling of unauthorised laundry racks in a public housing estate by the management company	部分成立 Partially substantiated	1

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入境事務處 Immigration Department			
2021/4326B(I)	無理拒絕披露部門職員接受利益的統計數字 Unreasonably refusing to provide the statistics on acceptance of advantages by the Department's staff	不成立 Unsubstantiated	0
政府新聞處 Information Services Department			
2022/2434(I)	無理拒絕提供受邀到現場採訪七一回歸慶祝活動的傳媒機構名單，以及與揀選傳媒機構的準則有關的內部指引或政策 Unreasonably refusing to provide a list of media organisations invited to cover the July 1 Reunification Anniversary events and the internal guidelines or policies pertaining to the selection criteria of media organisations	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	1
地政總署 Lands Department			
2021/3368	(1) 對某塑膠回收場涉嫌佔用政府土地和違反土地用途一事跟進不力（成立）；以及 (2) 沒有阻止該塑膠回收場搭建新的上蓋（不成立） (1) Ineffective follow-up action on suspected occupation of Government land and non-compliance with land use by a plastic recycling yard (substantiated); and (2) Failing to stop the erection of roof cover at the plastic recycling yard (unsubstantiated)	部分成立 Partially substantiated	3
2021/3870B(I)	沒有按《公開資料守則》訂明的時限回覆索取資料要求 Failing to respond to a request for information within the target response time prescribed in the Code on Access to Information	成立 Substantiated	1
2021/4203D	遲遲未解決與運輸署之間就處理露天公共運輸交匯處內違泊單車的權責分歧 Delay in resolving the dispute with the Transport Department on the responsibility for handling the illegally parked bicycles at uncovered Public Transport Interchanges	成立 Substantiated	1

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/0975B	沒有妥善跟進某新界豁免管制屋宇有違規構築物的舉報 Failing to properly follow up on a report of unauthorised structures in a New Territories Exempted House	部分成立 Partially substantiated	2
2022/2422D	對某單車店長期霸佔公眾單車泊位所採取的行動／措施不足或無效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for illegal occupation of public bicycle parking spaces	不成立 Unsubstantiated	0
2022/3162C	沒有妥善跟進露宿者佔用某公眾碼頭的問題 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
康樂及文化事務署 Leisure and Cultural Services Department			
2022/1254	(1) 將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公（不成立）；以及 (2) 網上預訂服務的平台經常在繁忙時間擠塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0
2022/1294	(1) 將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公（不成立）；以及 (2) 網上預訂服務的平台經常在繁忙時間擠塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0

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2022/1320	(1) 將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公（不成立）；以及 (2) 網上預訂服務的平台經常在繁忙時間擠塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0
2022/1321	將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公 Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking	不成立 Unsubstantiated	0
2022/1322	(1) 將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公（不成立）；以及 (2) 網上預訂服務的平台經常在繁忙時間擠塞（不成立） (1) Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking (unsubstantiated); and (2) The internet booking platform was often overwhelmed during peak hours (unsubstantiated)	不成立 Unsubstantiated	0
2022/1357	將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公 Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking	不成立 Unsubstantiated	0

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2022/1786	將每日訂場櫃檯及自助服務站的服務時間更改為較「康體通」網上預訂服務的時間遲15分鐘開始，對親身排隊訂場的人士造成不公 Causing unfairness to the people lining up at counters for booking venues by deferring the booking services at counters and self-service kiosks to 15 minutes after that of the Leisure Link Internet Booking	不成立 Unsubstantiated	0
2022/2422B	對某單車店長期霸佔公眾單車泊位所採取的行動／措施不足或無效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for occupation of public bicycle parking spaces	不成立 Unsubstantiated	1
2022/2690(I)	未有妥善處理有關某游泳池的索取資料要求 Failing to properly handle a request for information regarding a swimming pool	部分成立 Partially substantiated	2
2022/3159	未有就某公園露宿者聚集的情況採取適當行動 Failing to take proper action on street sleepers inside a park	不成立 Unsubstantiated	0
2022/3555	防疫措施陸續放寬，但遲遲不重開轄下燒烤及露營地點，做法失當 Unreasonable delay in reopening barbeque sites and campsites under its management despite the phased relaxation of anti-epidemic measures	不成立 Unsubstantiated	0
2022/3637B	(1) 未有解決某公眾停車場長期被閒置車輛佔用的問題（不成立）；以及 (2) 拒絕採納裝設停車收費錶的建議（不成立） (1) Failing to tackle the problem of prolonged occupation by dormant vehicles at a public carpark (unsubstantiated); and (2) Refusing to adopt the suggestion of installing parking meters (unsubstantiated)	不成立 Unsubstantiated	1

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通訊事務管理局辦公室 Office of the Communications Authority			
2022/0980	(1) 沒有妥善跟進投訴人對電視台的新聞報道內容有誤的投訴（投訴不成立，但機構另有缺失）；以及 (2) 沒有正面回應投訴人有關該辦處理廣播內容投訴的查詢（部分成立） (1) Failing to properly follow up the complainant's complaint about inaccurate content of news report broadcast on television (unsubstantiated but other inadequacies found); and (2) Failing to address the complainant's enquiry about its handling of complaints about broadcast materials (partially substantiated)	部分成立 Partially substantiated	2
政府資訊科技總監辦公室 Office of the Government Chief Information Officer			
2022/1516C	未能解決投訴人上載新冠疫苗記錄到「安心出行」應用程式後出現的問題 Failing to fix the problem arisen after the complainant uploaded his vaccination record to the "LeaveHomeSafe" mobile app	不成立 Unsubstantiated	0
2022/2837B	沒有妥善核對確診人士的個人資料，以致錯誤將投訴人家人的「安心出行」應用程式轉為紅色二維碼 Failing to properly verify the personal particulars of COVID-19 cases, causing the Vaccine Pass in the "LeaveHomeSafe" mobile app of the complainant's family member to mistakenly change to Red Code	不成立 Unsubstantiated	0
規劃署 Planning Department			
2021/3367	(1) 沒有對某塑膠回收場的涉嫌違例發展執法（不成立）；以及 (2) 沒有阻止該塑膠回收場搭建新的上蓋（不成立） (1) Failing to take enforcement action against suspected unauthorised development at a plastic recycling yard (unsubstantiated); and (2) Failing to stop the erection of roof cover at the plastic waste recycling yard (unsubstantiated)	不成立 Unsubstantiated	0

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2021/4445(I)	拒絕提供某策略性研究的評估報告 Refusing to provide assessment reports for a strategic study	不成立 Unsubstantiated	0
2022/0657(I)	拒絕提供某策略性研究的評估報告 Refusing to provide assessment reports for a strategic study	不成立 Unsubstantiated	0
郵政署 Post Office			
2022/1154A	(1) 未有調配足夠資源以應付大量申報非本地新冠疫苗接種記錄的申請（不成立）；以及 (2) 指定郵政局接受申報的每日名額不足夠，並質疑是否有需要親身申報有關記錄（不成立） (1) Failing to deploy sufficient resources to deal with a large amount of applications for declaring non-local vaccination records (unsubstantiated); and (2) Insufficient daily quota of registration service at designated post offices and doubt on whether declarations must be made in person (unsubstantiated)	不成立 Unsubstantiated	0
2022/1696	無理退回包裹而不退還郵費及作書面解釋 Unreasonably returning parcels without giving postage refund or written reasons	部分成立 Partially substantiated	4
2022/2096B	(1) 把掛號郵件投入郵箱而不按既定做法派送（投訴不成立，但機構另有缺失）；以及 (2) 追查郵件所費時間過長（部分成立） (1) Unreasonably charging extra fees for reissuance of a renewed vehicle licence (unsubstantiated but other inadequacies found); and (2) Lengthy process of mail tracing (partially substantiated)	部分成立 Partially substantiated	0
2022/2465	無理把掛號郵件投入郵箱而不按既定做法派送，以及事後補拍照片作為派遞記錄 Unreasonably putting a registered mail item into the mailbox instead of delivering it according to the protocol and taking a picture for record subsequent to the delivery	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	0

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2022/3124(I)	拒絕提供兩間郵政局的每月交易量 Refusing to provide the monthly transaction volume of two post offices	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	1
2022/3251	派遞特快專遞郵件的短訊通知安排有欠妥善 Inadequacies in the arrangement for SMS notification for "Speedpost" delivery	不成立 Unsubstantiated	0
2022/3379	派遞入口平郵包裹的短訊通知安排有欠妥善，以及沒有按最新派遞指示派遞郵件 Inadequacies in the arrangement for SMS notification for inward surface parcel delivery and failure to deliver the mail item according to the latest delivery instruction	部分成立 Partially Substantiated	1
物業管理業監管局 Property Management Services Authority			
2022/0844A	(1) 無理規定「物業管理業界（環境衞生和保安人員）抗疫支援計劃」的申請必須由大廈、商廈、工廠的業主立案法團提出，否則前線保安員不會獲發津貼（不成立）；以及 (2) 計劃的申請安排不符合相關政策，以致有保安員未能獲得津貼（不成立） (1) Unreasonably requiring that applications for the allowance under the Anti-epidemic Support Scheme for Environmental Hygiene and Security Staff in Property Management must be submitted by owners' corporations of buildings, commercial buildings and factories, otherwise frontline security guards would not be granted the allowance (unsubstantiated); and (2) Scheme arrangement was not in line with the relevant policy, making some security guards unable to receive the allowance (unsubstantiated)	不成立 Unsubstantiated	0

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社會福利署 **Social Welfare Department**			
2022/1505	(1) 沒有妥善跟進有關兩間慈善機構的舉報（不成立）；以及 (2) 對街頭籌款活動缺乏妥善監管（不成立） (1) Failing to properly follow up on the reports against two charitable organisations (unsubstantiated); and (2) Lack of proper control of street fund-raising activities (unsubstantiated)	不成立 Unsubstantiated	0
運輸署 **Transport Department**			
2021/4131	(1) 無理要求投訴人出示電單車路試（丙部）排期信，否則拒絕受理其電單車學習駕駛執照申請（不成立）；以及 (2) 職員給予投訴人的回覆前後不一（成立） (1) Unreasonably refusing to process the complainant's application for a motorcycle learner's driving licence unless he produced the motorcycle driving test (Part C) appointment letter (unsubstantiated); and (2) The Department's staff having given inconsistent replies to the complainant (substantiated)	部分成立 Partially substantiated	0
2021/4203C	遲遲未解決與地政總署之間就處理露天公共運輸交匯處內違泊單車的權責分歧 Delay in resolving the dispute with the Lands Department on the responsibility for handling the illegally parked bicycles at uncovered Public Transport Interchanges	成立 Substantiated	1
2022/0871B	在第五波疫情期間，運輸署未能與1823就處理市民的電郵作出妥善安排 Failing to make proper arrangement with 1823 regarding handling of emails from members of the public amid the fifth wave of COVID-19	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	1

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2022/1460A	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立）	部分成立	1
	(1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	Partially substantiated	
2022/1538	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立）	部分成立	1
	(1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	Partially substantiated	

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/1562	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立）	部分成立	1
	(1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	Partially substantiated	
2022/1603(1)	(1) 實地調查未能反映實況（不成立）； (2) 沒有考慮居民巴士服務不涉公帑及不會加重當區的道路負擔（不成立）； (3) 審批其他屋苑續辦多條居民巴士線的準則寬鬆，對事涉屋苑不公（部分成立）；以及 (4) 給予投訴人的回覆含糊，並無實際理據（成立）	部分成立	3
	(1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	Partially substantiated	

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個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/1603(2)	(1) 實地調查未能反映實況（不成立）； (2) 沒有考慮居民巴士服務不涉公帑及不會加重當區的道路負擔（不成立）； (3) 審批其他屋苑續辦多條居民巴士線的準則寬鬆，對事涉屋苑不公（部分成立）；以及 (4) 給予投訴人的回覆含糊，並無實際理據（成立）	部分成立	3
	(1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	Partially substantiated	
2022/1603(3)	(1) 實地調查未能反映實況（不成立）； (2) 沒有考慮居民巴士服務不涉公帑及不會加重當區的道路負擔（不成立）； (3) 審批其他屋苑續辦多條居民巴士線的準則寬鬆，對事涉屋苑不公（部分成立）；以及 (4) 給予投訴人的回覆含糊，並無實際理據（成立）	部分成立	3
	(1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	Partially substantiated	

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/1603(4)	(1) 實地調查未能反映實況（不成立）； (2) 沒有考慮居民巴士服務不涉公帑及不會加重當區的道路負擔（不成立）； (3) 審批其他屋苑續辦多條居民巴士線的準則寬鬆，對事涉屋苑不公（部分成立）；以及 (4) 給予投訴人的回覆含糊，並無實際理據（成立） (1) Ineffective site inspections that failed to find out the actual traffic conditions (unsubstantiated); (2) Failing to take into account the fact that residents' bus services did not involve public money or add burden to the local traffic (unsubstantiated); (3) Adopting loose approval criteria for renewing a number of residents' bus routes in other housing estates' applications, causing unfairness to the housing estate concerned (partially substantiated); and (4) Giving a vague and groundless reply to the complainant (substantiated)	部分成立 Partially substantiated	3
2022/1769	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

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個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/1923	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2014(5)	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

個案編號 **Case No.**	投訴事項 **Complaint**	整體結論 **Overall Conclusion**	建議數目 **No. of Recom-mendations**
2022/2014(6)	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2014(16)	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

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個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/2014(18)	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2096A	(1) 無理就補發續領的車輛牌照收取額外費用（部分成立）；以及 (2) 追查郵件所費時間過長（部分成立） (1) Unreasonably charging extra fees for reissuance of a renewed vehicle licence (partially substantiated); and (2) Lengthy process of mail tracing (partially substantiated)	部分成立 Partially substantiated	0
2022/2140(8)	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1

個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/2144(1)	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2256	(1) 審批居民巴士服務申請有欠劃一準則，無理拒絕某屋苑的申請，卻批准同區另一屋苑的申請（部分成立）； (2) 實地調查粗疏，未能反映實際交通情況（不成立）；以及 (3) 沒有適當跟進居民就事涉屋苑交通提出的改善建議（不成立） (1) Unreasonably rejecting a housing estate's application for residents' bus services while granting approval to the application submitted by a nearby housing estate, which showed a lack of consistent approval criteria (partially substantiated); (2) Slipshod site inspections that failed to find out the actual traffic conditions (unsubstantiated); and (3) Failing to properly follow up on residents' suggestions for improving the traffic of the housing estate concerned (unsubstantiated)	部分成立 Partially substantiated	1
2022/2422C	對某單車店長期霸佔公眾單車泊位所採取的行動／措施不足或無效 Insufficient or ineffective enforcement actions/ measures against a bicycle shop for illegal occupation of public bicycle parking spaces	投訴不成立，但機構另有缺失 Unsubstantiated but other inadequacies found	0

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個案編號 Case No.	投訴事項 Complaint	整體結論 Overall Conclusion	建議數目 No. of Recom-mendations
2022/3162A	沒有妥善跟進露宿者佔用某公眾碼頭的問題 Failing to properly follow up on the occupation of a public pier by street sleepers	不成立 Unsubstantiated	0
2022/3637A	(1) 未有解決某公眾停車場長期被閒置車輛佔用的問題（不成立）；以及 (2) 拒絕採納裝設停車收費錶的建議（不成立） (1) Failing to tackle the problem of prolonged occupation by dormant vehicles at a public carpark (unsubstantiated); and (2) Refusing to adopt the suggestion of installing parking meters (unsubstantiated)	不成立 Unsubstantiated	1
職業訓練局 Vocational Training Council			
2022/2932	無理拒絕向申請退學的投訴人退回已繳學費 Unreasonably refusing to refund the tuition fee paid by the complainant who had applied for withdrawal of study	成立 Substantiated	2

顧問名單
List of Advisers

會計 | Accountancy

蔡永忠先生，BBS, JP	Mr Tsai Wing Chung, Philip, BBS, JP

建築、工程及測量 | Architecture, Engineering and Surveying

陳志超工程師，SBS	Ir Chan Chi Chiu, SBS
陳旭明測量師	Sr Chan Yuk Ming, Raymond
熊永達博士，MH	Dr Hung Wing Tat, MH
梁廣灝工程師，SBS, OBE, JP	Ir Leung Kwong Ho, Edmund, SBS, OBE, JP
林雲峯先生，BBS, JP	Mr Lim Wan Fung, Bernard Vincent, BBS, JP

法律 | Legal

張達明先生	Mr Cheung Tat Ming, Eric
羅沛然博士	Dr Lo Pui Yin
Stephen Thomson博士 *（任期於2022年9月30日屆滿）*	Dr Stephen Thomson *(Term ended on 30 September 2022)*
黃文傑先生，SC, JP	Mr Wong Man Kit, Anson, SC, JP

醫務及護理 | Medical and Nursing

賴錦玉教授	Professor Lai Kam Yuk, Claudia
盧寵茂教授，BBS, JP *（任期於2022年6月30日屆滿）*	Professor Lo Chung Mau, BBS, JP *(Term ended on 30 June 2022)*
沈秉韶醫生，BBS, JP	Dr Shum Ping Shiu, BBS, JP

社會工作及更生事務 | Social Work and Rehabilitation Services

陳麗雲教授，JP	Professor Chan Lai Wan, Cecilia, JP
馬麗莊教授，JP	Professor Ma Lai Chong, Joyce, JP
吳宏增先生	Mr Ng Wang Tsang, Andy

* 姓名以英文字母順序排列

* in alphabetical order of surname



財務報表
FINANCIAL STATEMENTS

截至2023年3月31日止年度

FOR THE YEAR ENDED 31 MARCH 2023



獨立核數師報告
致申訴專員
Independent auditor's report to The Ombudsman

（根據《申訴專員條例》於香港成立）(Established in Hong Kong pursuant to The Ombudsman Ordinance)

意見

本核數師（以下簡稱「我們」）已審計列載於第166至191頁申訴專員的財務報表，此財務報表包括於2023年3月31日的財務狀況表與截至該日止年度的收支結算表、全面收益表、資金狀況變動表和現金流量表，以及財務報表附註，包括主要會計政策概要。

我們認為，該等財務報表已根據香港會計師公會頒布的《香港財務報告準則》真實而中肯地反映了申訴專員於2023年3月31日的財務狀況及截至該日止年度的財務表現和現金流量。

意見的基礎

我們已根據香港會計師公會頒布的《香港審計準則》進行審計。我們在該等準則下承擔的責任已在本報告「核數師就審計財務報表承擔的責任」部分中作進一步闡述。根據香港會計師公會頒布的《專業會計師道德守則》（以下簡稱「守則」），我們獨立於申訴專員，並已履行守則中的其他專業道德責任。我們相信，我們所獲得的審計憑證能充足和適當地為我們的審計意見提供基礎。

財務報表及其核數師報告以外的信息

申訴專員需對其他信息負責。其他信息包括刊載於年報內的全部信息，但不包括財務報表及我們的核數師報告。

我們對財務報表的意見並不涵蓋其他信息，我們亦不對該等其他信息發表任何形式的鑑證結論。

Opinion

We have audited the financial statements of The Ombudsman set out on pages 166 to 191, which comprise the statement of financial position as at 31 March 2023, the statement of income and expenditure, the statement of comprehensive income, the statement of changes in funds and the cash flow statement for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of The Ombudsman as at 31 March 2023 and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA").

Basis for opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSAs") issued by the HKICPA. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of The Ombudsman in accordance with the HKICPA's *Code of Ethics for Professional Accountants* ("the Code") and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Information other than the financial statements and auditor's report thereon

The Ombudsman is responsible for the other information. The other information comprises all the information included in the annual report, other than the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

結合我們對財務報表的審計，我們的責任是閱讀其他信息，在此過程中，考慮其他信息是否與財務報表或我們在審計過程中所了解的情況存在重大抵觸或者似乎存在重大錯誤陳述的情況。

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

基於我們已執行的工作，如果我們認為其他信息存在重大錯誤陳述，我們需要報告該事實。在這方面，我們沒有任何報告。

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

申訴專員就財務報表須承擔的責任

Responsibilities of The Ombudsman for the financial statements

申訴專員須負責根據香港會計師公會頒布的《香港財務報告準則》擬備真實而中肯的財務報表，並對其認為為使財務報表的擬備不存在由於欺詐或錯誤而導致的重大錯誤陳述所需的內部控制負責。

The Ombudsman is responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and for such internal control as The Ombudsman determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

在擬備財務報表時，申訴專員負責評估申訴專員持續經營的能力，並在適用情況下披露與持續經營有關的事項，以及使用持續經營為會計基礎，除非申訴專員有意將申訴專員清盤或停止經營，或別無其他實際的替代方案。

In preparing the financial statements, The Ombudsman is responsible for assessing The Ombudsman's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless The Ombudsman either intend to liquidate The Ombudsman or to cease operations, or have no realistic alternative but to do so.

核數師就審計財務報表承擔的責任

我們的目標，是對財務報表整體是否不存在由於欺詐或錯誤而導致的重大錯誤陳述取得合理保證，並出具包括我們意見的核數師報告。我們是按照雙方同意的聘任條款，僅向申訴專員（作為整體）報告。除此以外，我們的報告不可用作其他用途。我們概不就本報告的內容，對任何其他人士負責或承擔法律責任。

合理保證是高水平的保證，但不能保證按照《香港審計準則》進行的審計，在某一重大錯誤陳述存在時總能發現。錯誤陳述可以由欺詐或錯誤引起，如果合理預期它們單獨或滙總起來可能影響財務報表使用者依賴財務報表所作出的經濟決定，則有關的錯誤陳述可被視作重大。

在根據《香港審計準則》進行審計的過程中，我們運用了專業判斷，保持了專業懷疑態度。我們亦：

– 識別和評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審計程序以應對這些風險，以及獲取充足和適當的審計憑證，作為我們意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、虛假陳述，或凌駕於內部控制之上，因此未能發現因欺詐而導致的重大錯誤陳述的風險高於未能發現因錯誤而導致的重大錯誤陳述的風險。

– 了解與審計相關的內部控制，以設計適當的審計程序，但目的並非對申訴專員內部控制的有效性發表意見。

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. This report is made solely to you, as a body, in accordance with our agreed terms of engagement, and for no other purpose. We do not assume responsibility towards or accept liability to any other person for the contents of this report.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with HKSAs, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

– Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

– Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of The Ombudsman's internal control.

核數師就審計財務報表承擔的責任（續）

– 評價申訴專員所採用會計政策的恰當性及作出會計估計和相關披露的合理性。

– 對申訴專員採用持續經營會計基礎的恰當性作出結論。根據所獲取的審計憑證，確定是否存在與事項或情況有關的重大不確定性，從而可能導致對申訴專員的持續經營能力產生重大疑慮。如果我們認為存在重大不確定性，則有必要在核數師報告中提請使用者注意財務報表中的相關披露。假若有關的披露不足，則我們應當發表非無保留意見。我們的結論是基於截至核數師報告日止所取得的審計憑證。然而，未來事項或情況可能導致申訴專員不能持續經營。

– 評價財務報表的整體列報方式、結構和內容，包括披露，以及財務報表是否中肯反映交易和事項。

除其他事項外，我們與申訴專員溝通了計劃的審計範圍、時間安排、重大審計發現等，包括我們在審計中識別出內部控制的任何重大缺陷。

畢馬威會計師事務所
執業會計師

香港中環
遮打道10號
太子大廈8樓

2023年5月19日

Auditor's responsibilities for the audit of the financial statements (continued)

– Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by The Ombudsman.

– Conclude on the appropriateness of The Ombudsman's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on The Ombudsman's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause The Ombudsman to cease to continue as a going concern.

– Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with The Ombudsman regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

KPMG
Certified Public Accountants

8th Floor, Prince's Building
10 Chater Road
Central, Hong Kong

19 May 2023

收支結算表 截至2023年3月31日止年度

Statement of income and expenditure for the year ended 31 March 2023

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

		附註 Note	2023	2022
收入	**Income**			
政府資助金	Government subventions	3	**$ 129,838,628**	$ 128,035,000
遞延政府資助金之攤銷	Amortisation of deferred Government subventions	3	**1,814,220**	1,814,220
銀行存款之利息收入	Interest income on bank deposits		**11,190,787**	2,682,607
其他收入	Other income		**3,735**	3,852
			$ 142,847,370	$ 132,535,679
支出	**Expenditure**			
營運開支	Operating expenses	4	**(137,515,036)**	(130,972,378)
年度盈餘	**Surplus for the year**		**$ 5,332,334**	$ 1,563,301

全面收益表

截至2023年3月31日止年度

申訴專員在所列報的兩個年度期內，除「年度盈餘」外並無其他全面收益帳項。由於申訴專員的「全面收益總額」在兩個年度期內均與「盈餘」相同，因此，本財務報表沒有另行編製全面收益表。

Statement of comprehensive income

for the year ended 31 March 2023

The Ombudsman had no components of comprehensive income other than “surplus for the year” in either of the years presented. Accordingly, no separate statement of comprehensive income is presented as The Ombudsman’s “total comprehensive income” was the same as the “surplus” in both years.

第172至191頁之附註為本財務報表的整體部分。

The notes on pages 172 to 191 form part of these financial statements.

財務狀況表 於2023年3月31日
Statement of financial position as at 31 March 2023

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

		附註 Note	2023	2022
資產	**ASSETS**			
非流動資產	**Non-current asset**			
物業、機器及設備	Property, plant and equipment	7	**$ 68,151,261**	$ 60,484,689
流動資產	**Current assets**			
按金及預付款項	Deposits and prepayments		**$ 4,234,119**	$ 9,266,931
應收利息	Interest receivable		**2,251,320**	450,902
原定三個月以上到期之定期存款	Time deposits with original maturity over three months		**213,080,000**	372,312,000
現金及現金等價物	Cash and cash equivalents	8	**179,946,924**	22,170,700
			$ 399,512,363	$ 404,200,533
資產總額	**Total assets**		**$ 467,663,624**	$ 464,685,222
負債	**LIABILITIES**			
非流動負債	**Non-current liabilities**			
應付約滿酬金 – 非流動部分	Contract gratuity payable – non-current	9	**$ 8,045,013**	$ 5,704,107
遞延政府資助金 – 非流動部分	Deferred Government subventions – non-current	3	**51,643,558**	53,457,778
			$ 59,688,571	$ 59,161,885
流動負債	**Current liabilities**			
其他應付款項及應計費用	Other payables and accruals		**$ 6,141,710**	$ 5,928,327
應付約滿酬金 – 流動部分	Contract gratuity payable – current	9	**5,902,956**	8,996,957
遞延政府資助金 – 流動部分	Deferred Government subventions – current	3	**1,814,220**	1,814,220
			$ 13,858,886	$ 16,739,504
負債總額	**Total liabilities**		**$ 73,547,457**	$ 75,901,389

財務狀況表（續）
於2023年3月31日
Statement of financial position as at 31 March 2023 (continued)

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

		附註 Note	2023	2022
資金	**FUNDS**			
累計資金	Accumulated funds		**$ 394,116,167**	$ 388,783,833
資金總額	**Total funds**		**$ 394,116,167**	$ 388,783,833
資金及負債總額	**Total funds and liabilities**		**$ 467,663,624**	$ 464,685,222

申訴專員已於2023年5月19日批准及授權刊發。

Approved and authorised for issue by The Ombudsman on 19 May 2023.

趙慧賢女士
申訴專員

Ms Winnie Chiu
The Ombudsman

第172至191頁之附註為本財務報表的整體部分。

The notes on pages 172 to 191 form part of these financial statements.

資金狀況變動表 截至2023年3月31日止年度

Statement of changes in funds for the year ended 31 March 2023

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

		累計資金 Accumulated funds
於2021年3月31日及2021年4月1日之結餘	**Balance at 31 March 2021 and 1 April 2021**	$ 387,220,532
2021/2022年度資金狀況變動：	**Change in funds for 2021/2022:**	
年度盈餘及全面收益總額	Surplus and total comprehensive income for the year	1,563,301
於2022年3月31日及2022年4月1日之結餘	**Balance at 31 March 2022 and 1 April 2022**	**$ 388,783,833**
2022/2023年度資金狀況變動：	**Change in funds for 2022/2023:**	
年度盈餘及全面收益總額	Surplus and total comprehensive income for the year	**5,332,334**
於2023年3月31日之結餘	**Balance at 31 March 2023**	**$ 394,116,167**

第172至191頁之附註為本財務報表的整體部分。 The notes on pages 172 to 191 form part of these financial statements.

現金流量表 截至2023年3月31日止年度
Cash flow statement for the year ended 31 March 2023

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

		附註 Note	2023		2022
營運活動	**Operating activities**				
年度盈餘	Surplus for the year		**$ 5,332,334**	$	1,563,301
調整：	Adjustments for:				
利息收入	Interest income		**(11,190,787)**		(2,682,607)
折舊	Depreciation	4	**3,881,837**		3,477,211
遞延政府資助金之攤銷	Amortisation of deferred Government subventions		**(1,814,220)**		(1,814,220)
處置物業、機器及設備之損失	Loss on disposal of property, plant and equipment	4	**651,015**		379
營運資金變動前之營運（虧損）／盈餘	**Operating (deficit)/surplus before changes in working capital**		**$ (3,139,821)**	$	544,064
按金及預付款項減少／（增加）	Decrease/(increase) in deposits and prepayments		**5,032,812**		(6,223,978)
其他應付款項及應計費用增加	Increase in other payables and accruals		**213,383**		55,524
應付約滿酬金減少	Decrease in contract gratuity payable		**(753,095)**		(1,208,494)
營運活動產生／（運用）之現金淨額	**Net cash generated from/(used in) operating activities**		**$ 1,353,279**	$	(6,832,884)
投資活動	**Investing activities**				
收取利息	Interest received		**$ 9,390,369**	$	4,767,708
購置物業、機器及設備所付款項	Payments for purchase of property, plant and equipment		**(12,199,424)**		(1,110,095)
原定三個月以上到期之定期存款變動淨額	Net changes of time deposits with original maturity over three months		**159,232,000**		10,121,000
出售物業、機器及設備所得款項	Proceeds from sale of property, plant and equipment		**–**		1,100
投資活動產生之現金淨額	**Net cash generated from investing activities**		**$ 156,422,945**	$	13,779,713

現金流量表（續）
截至2023年3月31日止年度
Cash flow statement for the year ended 31 March 2023 (continued)

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

		附註 Note	2023	2022
現金及現金等價物淨增加	**Net increase in cash and cash equivalents**		**$ 157,776,224**	$ 6,946,829
年初之現金及現金等價物	**Cash and cash equivalents at beginning of the year**	8	**22,170,700**	15,223,871
年末之現金及現金等價物	**Cash and cash equivalents at end of the year**	8	**$ 179,946,924**	$ 22,170,700

第172至191頁之附註為本財務報表的整體部分。

The notes on pages 172 to 191 form part of these financial statements.

財務報表附註
Notes to the financial statements

（所有數額均以港元為單位）(Expressed in Hong Kong dollars)

1 申訴專員的概況

申訴專員於2001年12月19日根據法例成立為單一法團，其職能於《申訴專員條例》中訂明。

申訴專員公署的註冊辦事處地址為香港干諾道中168–200號信德中心招商局大廈30樓。

1 Status of The Ombudsman

The Ombudsman was established as a corporation by statute on 19 December 2001. The functions of The Ombudsman are prescribed by The Ombudsman Ordinance.

The address of its registered office is 30/F, China Merchants Tower, Shun Tak Centre, 168–200 Connaught Road Central, Hong Kong.

2 主要會計政策

(a) 遵例聲明及會計政策變動

本財務報表乃根據香港會計師公會頒布適用的《香港財務報告準則》（此統稱包括適用的個別《香港財務報告準則》、《香港會計準則》及詮釋），以及香港公認會計原則而編製。申訴專員採納的主要會計政策列述如下。

香港會計師公會已頒布若干《香港財務報告準則》之修訂，並在申訴專員當前的會計年度首次生效或可提早採納。申訴專員沒有應用任何在當前的會計年度尚未生效的新準則或詮釋（附註15）。

(b) 財務報表編製基準

本財務報表以歷史成本作為計量基準而編製。

2 Significant accounting policies

(a) Statement of compliance and changes in accounting policies

These financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards ("HKFRSs"), which collective term includes all applicable individual Hong Kong Financial Reporting Standards, Hong Kong Accounting Standards ("HKASs") and Interpretations issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA") and accounting principles generally accepted in Hong Kong. Significant accounting policies adopted by The Ombudsman are disclosed below.

The HKICPA has issued certain amendments to HKFRSs that are first effective or available for early adoption for the current accounting period of The Ombudsman. The Ombudsman has not applied any new standard or interpretation that is not yet effective for the current accounting period (note 15).

(b) Basis of preparation of the financial statements

The measurement basis used in the preparation of the financial statements is the historical cost basis.

2 主要會計政策（續）

(b) 財務報表編製基準（續）

在編製符合《香港財務報告準則》的財務報表時，管理層需要作出影響會計政策的應用及資產、負債、收入和支出的呈報數額的判斷、估計和假設。這些估計和相關假設是根據過往經驗及管理層因應當時情況下乃屬合理的各項其他因素為基礎而作出，所得結果乃構成管理層就目前未能從其他資料來源即時得知資產及負債帳面值時所作出判斷的基礎。實際的結果可能與這些估計有差異。

管理層會不斷檢討各項估計及相關假設。假如會計估計的修訂只影響某一期間，則該修訂會在該期間內確認入帳，或假如會計估計的修訂同時影響當前及未來期間，則該修訂會在修訂期間及未來期間內確認入帳。

(c) 物業、機器及設備

物業、機器及設備是以成本減去累計折舊及減值虧損後列帳。

2 Significant accounting policies (continued)

(b) Basis of preparation of the financial statements (continued)

The preparation of financial statements in conformity with HKFRSs requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

(c) Property, plant and equipment

Property, plant and equipment are stated at cost less accumulated depreciation and impairment losses.

2 主要會計政策（續）

2 Significant accounting policies (continued)

(c) 物業、機器及設備（續）

(c) Property, plant and equipment (continued)

折舊是在扣減物業、機器及設備的預計剩餘價值（如有的話）後，按預計可使用年期以直線法沖銷其成本，計算方法如下：

Depreciation is calculated to write off the cost of items of property, plant and equipment, less their estimated residual value, if any, using the straight line method over their estimated useful lives as follows:

– 持有作自用的租賃土地權益 Interest in leasehold land held for own use	按租賃的剩餘租期 Over unexpired term of lease
– 建築物 Building	40年 40 years
– 租賃物業裝修 Leasehold improvements	10年 10 years
– 辦公室傢具 Office furniture	5年 5 years
– 辦公室設備 Office equipment	5年 5 years
– 電腦設備 Computer equipment	4年 4 years
– 車輛 Motor vehicles	5年 5 years

資產的可使用年期及其剩餘價值（如有的話）會每年檢討。

Both the useful life of an asset and its residual value, if any, are reviewed annually.

2 主要會計政策（續）

(c) 物業、機器及設備（續）

管理層會在每個報告年度結束時檢討物業、機器及設備的帳面金額有否出現減值跡象。當資產或所屬的現金產生單位的帳面金額高於可收回數額時，便會在收支結算表內確認減值虧損。資產或所屬的現金產生單位的可收回數額，是以公平價值減處置費用及使用值兩者中較高者計算。在評估使用值時，估計未來現金流量會按除稅前貼現率折讓至現值，而該貼現率應足以反映市場當時所評估的貨幣時間價值與有關資產的獨有風險。假如用以釐定可收回數額的估計基準出現正面的變化，有關的減值虧損便會撥回。

處置或出售任何物業、機器及設備所產生的損益，以出售所得淨額與資產的帳面金額之間的差額釐定，並按處置或出售日期在收支結算表內確認入帳。

(d) 應收款項

應收款項於申訴專員擁有無條件權利可收取代價時予以確認。倘若代價只是隨時間推移即會成為到期應付，則收取代價的權利即為無條件。倘若收入於申訴專員擁有無條件權利可收取代價之前已確認，有關金額會作為合約資產列報。

2 Significant accounting policies (continued)

(c) Property, plant and equipment (continued)

The carrying amounts of property, plant and equipment are reviewed for indications of impairment at the end of each reporting period. An impairment loss is recognised in the statement of income and expenditure if the carrying amount of an asset, or the cash-generating unit to which it belongs, exceeds its recoverable amount. The recoverable amount of an asset, or of the cash-generating unit to which it belongs, is the greater of its fair value less costs of disposal and value in use. In assessing value in use, the estimated future cash flows are discounted to their present values using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the assets. An impairment loss is reversed if there has been a favourable change in the estimates used to determine the recoverable amount.

Gains or losses arising from the retirement or disposal of an item of property, plant and equipment are determined as the difference between the net disposal proceeds and the carrying amount of the item and are recognised in the statement of income and expenditure on the date of retirement or disposal.

(d) Receivables

A receivable is recognised when The Ombudsman has an unconditional right to receive consideration. A right to receive consideration is unconditional if only the passage of time is required before payment of that consideration is due. If income has been recognised before The Ombudsman has an unconditional right to receive consideration, the amount is presented as a contract asset.

2 主要會計政策（續）

(d) 應收款項（續）

應收款項其後採用實際利率方法按攤銷成本並包括以下述方式釐定的信貸虧損撥備列帳：

虧損撥備按等同於整個有效期的預期信貸虧損的金額計量，該等信貸虧損預期在應收款項的整個有效期間出現。就所有金融工具而言（包括存款及應收利息），申訴專員確認相等於12個月預期信貸虧損的撥備，除非金融工具信貸風險自初始確認後大幅增加。在此情況下，虧損撥備乃按相等於整個有效期的預期信貸虧損的金額計量。

預期信貸虧損於各報告日期進行重新計量，任何變動均於損益中確認為減值收益或虧損。申訴專員通過虧損撥備帳中應收款項帳面金額所作的相應調整確認減值收益或虧損。

倘若實際上並無收回的可能，應收款項的帳面金額會予沖銷（部分或全部）。這情況通常出現在申訴專員確定債務人沒有資產或收入來源可產生足夠現金流量以償還沖銷的金額。

2 Significant accounting policies (continued)

(d) Receivables (continued)

Receivables are subsequently stated at amortised cost using the effective interest method and including allowance for credit losses as determined below:

The loss allowance is measured at an amount equal to lifetime expected credit losses (“ECLs”), which are those losses that are expected to occur over the expected life of the receivables. For all financial instruments (including deposits and interest receivable), The Ombudsman recognises a loss allowance equal to 12-month ECLs unless these has been a significant increase in credit risk of the financial instrument since initial recognition, in which case the loss allowance is measured at an amount equal to lifetime ECLs.

ECLs are remeasured at each reporting date with any changes recognised as an impairment gain or loss in profit or loss. The Ombudsman recognises an impairment gain or loss with a corresponding adjustment to the carrying amount of receivables through a loss allowance account.

The gross carrying amount of receivable is written off (either partially or in full) to the extent that there is no realistic prospect of recovery. This is generally the case when The Ombudsman determines that the debtor does not have assets or sources of income that could generate sufficient cash flows to repay the amounts subject to the write-off.

2 主要會計政策（續）

(e) 應付款項

應付款項按公平價值初始確認。初始確認後，應付款項按攤銷成本列帳。假如貼現影響並不重大，則會按發票額列帳。

(f) 現金及現金等價物

現金及現金等價物包括銀行存款及庫存現金、存放於銀行和其他金融機構的活期存款，以及短期和高流動性的投資。這些投資一般在購入後三個月內到期，可以隨時換算為已知的現金額，而且價值變動方面的風險不大。現金及現金等價物的預期信貸虧損按照附註2(d)所列的政策評估。

(g) 僱員福利

薪金、約滿酬金、有薪年假、度假旅費及申訴專員提供的非金錢性僱員福利的成本，均在僱員提供相關服務的年度內累積計算。倘若延期支付或清繳款項而影響可屬重大，則有關金額會按現值列帳。

2 Significant accounting policies (continued)

(e) Payables

Payables are initially recognised at fair value. Subsequent to initial recognition, payables are stated at amortised cost unless the effect of discounting would be immaterial, in which case they are stated at invoice amounts.

(f) Cash and cash equivalents

Cash and cash equivalents comprise cash at bank and on hand, demand deposits with banks and other financial institutions, and short-term, highly liquid investments that are readily convertible into known amounts of cash and which are subject to an insignificant risk of changes in value, having been within three months of maturity at acquisition. Cash and cash equivalents are assessed for ECLs in accordance with policy as set out in note 2(d).

(g) Employee benefits

Salaries, gratuities, paid annual leave, leave passage and the cost to The Ombudsman of non-monetary employee benefits are accrued in the year in which the associated services are rendered by employees of The Ombudsman. Where payment or settlement is deferred and the effect would be material, these amounts are stated at their present values.

2 主要會計政策（續）

(h) 準備金及或有負債

申訴專員假如須就已發生的事情承擔法律或推定義務，而履行該義務預期可能導致含有經濟效益的資源外流，並且可作可靠的估計，便會提撥準備。假如貨幣時間價值重大，則準備金會按預計履行義務所需資源的現值列帳。

假如含有經濟效益的資源外流的可能性較低，或是無法對有關數額作出可靠的估計，該義務便會披露為或有負債，但如果資源外流的可能性極低則除外。須視乎未來會否發生某項或某些事情才能確定存在與否的義務，亦會披露為或有負債，但如果資源外流的可能性極低則除外。

假如清繳準備金所需的部分或全部開支預期將由另一方償付，則會就任何幾乎肯定的預期償付款項確認一項獨立資產。就償付款項確認的金額不得高於準備金的帳面金額。

2 Significant accounting policies (continued)

(h) Provisions and contingent liabilities

Provisions are recognised when The Ombudsman has a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

Where some or all of the expenditure required to settle a provision is expected to be reimbursed by another party, a separate asset is recognised for any expected reimbursement that would be virtually certain. The amount recognised for the reimbursement is limited to the carrying amount of the provision.

2 主要會計政策（續）

(i) 收入確認

(i) 政府資助金

一筆無條件限制的政府資助金於可收取時會在收支結算表內確認為收入。其他的政府資助金於有理由確信將會收取，而申訴專員亦將會符合各項附帶條件時，便會初始在財務狀況表確認入帳。補償申訴專員開支的資助金，會在開支產生的期間有系統地同時在收支結算表內確認為收入。補償申訴專員資產成本的資助金，會列作遞延政府資助金記入財務狀況表，並按照附註2(c)所列的折舊政策的基準，按相關資產的租賃年期或可使用年期在收支結算表內確認入帳。

(ii) 利息收入

利息收入於產生時按實際利率方法確認入帳。

2 Significant accounting policies (continued)

(i) Income recognition

(i) *Government subventions*

An unconditional Government subvention is recognised as income in the statement of income and expenditure when the grant becomes receivable. Other Government subventions are recognised in the statement of financial position initially when there is reasonable assurance that they will be received and that The Ombudsman will comply with the conditions attaching to them. Subventions that compensate The Ombudsman for expenses incurred are recognised as income in the statement of income and expenditure on a systematic basis in the same periods in which the expenses are incurred. Subventions that compensate The Ombudsman for the cost of an asset are included in the statement of financial position as deferred Government subventions and recognised in the statement of income and expenditure over the period of the lease term or useful live of the related asset on a basis consistent with the depreciation policy as set out in note 2(c).

(ii) *Interest income*

Interest income is recognised as it accrues using the effective interest method.

2 主要會計政策（續）

(j) 關聯人士

(a) 任何人士或其直系親屬與申訴專員相關聯，假如該人士或其直系親屬：

(i) 可控制或共同控制申訴專員；

(ii) 對申訴專員有重大影響力；或

(iii) 是申訴專員的主要管理層成員。

(b) 假如下述任何情況適用，則某實體與申訴專員相關聯：

(i) 該實體與申訴專員是同一集團的成員（即每一主體、附屬機構及同集團附屬機構相互有關聯）。

(ii) 某一實體是另一實體的聯屬機構或聯辦機構（或另一實體所屬集團成員的聯屬機構或聯辦機構）。

(iii) 兩個實體都是相同第三方的聯辦機構。

2 Significant accounting policies (continued)

(j) Related parties

(a) A person, or a close member of that person's family, is related to The Ombudsman if that person:

(i) has control or joint control over The Ombudsman;

(ii) has significant influence over The Ombudsman; or

(iii) is a member of the key management personnel of The Ombudsman.

(b) An entity is related to The Ombudsman if any of the following conditions applies:

(i) The entity and The Ombudsman are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).

(ii) One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).

(iii) Both entities are joint ventures of the same third party.

2 主要會計政策（續）

(j) 關聯人士（續）

(b) 假如下述任何情況適用，則某實體與申訴專員相關聯：（續）

(iv) 某一實體是第三方的聯辦機構，而另一實體是第三方的聯屬機構。

(v) 該實體是為申訴專員或申訴專員關聯實體的僱員而設的聘用期結束後福利計劃。

(vi) 該實體受附註2(j)(a)所述的人士所控制或共同控制。

(vii) 附註2(j)(a)(i)所述的人士對該實體有重大影響或是該實體（或其主體）的主要管理層成員。

(viii) 該實體或其所屬集團內任何人士向申訴專員提供主要管理層成員的服務。

一位人士的直系親屬，概指在該人士與實體交易的過程中，可能影響該人士或受該人士影響的家庭成員。

2 Significant accounting policies (continued)

(j) Related parties (continued)

(b) An entity is related to The Ombudsman if any of the following conditions applies: (continued)

(iv) One entity is a joint venture of a third entity and the other entity is an associate of the third entity.

(v) The entity is a post-employment benefit plan for the benefit of employees of either The Ombudsman or an entity related to The Ombudsman.

(vi) The entity is controlled or jointly controlled by a person identified in note 2(j)(a).

(vii) A person identified in note 2(j)(a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).

(viii) The entity, or any member of a group of which it is a part, provides key management personnel services to The Ombudsman.

Close members of the family of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with the entity.

3 政府資助金及遞延政府資助金

政府資助金是供申訴專員應付日常營運開支的政府撥款。

遞延政府資助金是作為預付租賃費用及購置建築物之用的政府撥款。遞延政府資助金之攤銷，是按預付租賃費用持有作自用的批租土地權益的租約期（54年）及建築物的可使用年期（40年），按照附註2(c)及2(i)(i)載列的會計政策以直線法計算確認入帳。

於2023年3月31日計算，預計遞延政府資助金之攤銷如下：

3 Government subventions and deferred Government subventions

Government subventions represent the funds granted by the Government for daily operations of The Ombudsman.

Deferred Government subventions represent the funds granted by the Government for prepaid lease payments and the purchase of building. Amortisation of deferred Government subventions is recognised on a straight line basis over the period of the lease term of 54 years of interest in leasehold land held for own use for prepaid lease payments and the useful life of 40 years of building in accordance with the accounting policies set out in notes 2(c) and 2(i)(i).

At 31 March 2023, the deferred Government subventions are expected to be amortised as follows:

			2023		2022
一年內並包括在流動負債之內	Within one year and included in current liabilities	**$**	**1,814,220**	$	1,814,220
一年後並包括在非流動負債之內	After one year and included in non-current liabilities		**51,643,558**		53,457,778
		$	**53,457,778**	$	55,271,998

4 營運開支 4 Operating expenses

		2023	2022
僱員福利開支（附註5）	Employee benefit expenses (note 5)	**$ 123,116,728**	$ 118,118,700
物業、機器及設備折舊（附註7）	Depreciation of property, plant and equipment (note 7)	**3,881,837**	3,477,211
差餉及管理費	Rates and management fee	**3,614,051**	3,811,819
短期租賃相關開支	Expense relating to short-term leases	**100,800**	100,800
核數師酬金	Auditor's remuneration	**105,000**	98,000
處置物業、機器及設備之損失	Loss on disposal of property, plant and equipment	**651,015**	379
其他開支	Other expenses	**6,045,605**	5,365,469
		$ 137,515,036	$ 130,972,378

5 僱員福利開支 5 Employee benefit expenses

		2023	2022
薪金及津貼	Salaries and allowances	**$105,615,719**	$101,186,857
約滿酬金	Contract gratuity	**10,976,503**	10,684,893
退休保障費用 – 強制性公積金計劃（「強積金計劃」）（註）	Pension costs – Mandatory Provident Fund Scheme ("the MPF scheme") (Note)	**3,005,428**	2,909,312
未放取之年假	Unutilised annual leave	**(311,575)**	132,211
其他僱員福利開支	Other employee benefit expenses	**3,830,653**	3,205,427
		$123,116,728	$118,118,700

註： 申訴專員根據香港《強制性公積金計劃條例》經辦強積金計劃，為在香港《僱傭條例》規管下僱用而未有界定利益退休計劃保障的僱員而設。強積金計劃是由獨立受託人管理的界定供款退休計劃。根據強積金計劃，僱主及僱員各自須按僱員有關入息的5%向計劃供款，每月有關入息以30,000元為上限。向計劃作出的供款即時歸屬僱員，申訴專員並無已沒收供款可用於扣減現行水平的供款。

Note: The Ombudsman operates the MPF scheme under the Hong Kong Mandatory Provident Fund Schemes Ordinance for employees employed under the jurisdiction of the Hong Kong Employment Ordinance and not previously covered by the defined benefit retirement plan. The MPF scheme is a defined contribution retirement plan administered by independent trustees. Under the MPF scheme, the employer and its employees are each required to make contributions to the plan at 5% of the employees' relevant income, subject to a cap of monthly relevant income of HK$30,000. Contributions to the plan vest immediately, there is no forfeited contributions that may be used by The Ombudsman to reduce the existing level of contribution.

6 主要管理層薪酬 6 Key management compensation

		2023	2022
短期僱員福利	Short-term employee benefits	**$15,872,221**	$15,420,732
聘用期結束後福利	Post-employment benefits	**1,922,529**	1,876,296
		$17,794,750	$17,297,028

7 物業、機器及設備 7 Property, plant and equipment

		持有作自用的租賃土地權益 Interest in leasehold land held for own use	建築物 Building	租賃物業裝修 Leasehold improvements	辦公室傢具 Office furniture	辦公室設備 Office equipment	電腦設備 Computer equipment	車輛 Motor vehicles	總計 Total
成本：	**Cost:**								
於2022年4月1日	At 1 April 2022	$74,900,000	$16,800,000	$17,119,036	$888,536	$1,974,997	$9,740,533	$994,880	$122,417,982
增添	Additions	-	-	10,480,684	31,586	61,345	1,625,809	-	12,199,424
處置	Disposals	-	-	(834,106)	(18,215)	(358,623)	(512,063)	-	(1,723,007)
於2023年3月31日	At 31 March 2023	$74,900,000	$16,800,000	$26,765,614	$901,907	$1,677,719	$10,854,279	$994,880	$132,894,399
累計折舊：	**Accumulated depreciation:**								
於2022年4月1日	At 1 April 2022	$28,005,564	$8,422,438	$15,665,010	$756,017	$1,672,508	$6,606,334	$805,422	$61,933,293
年內支出	Charge for the year	1,394,220	420,000	567,801	52,966	120,544	1,266,330	59,976	3,881,837
處置後撥回	Written back on disposals	-	-	(195,059)	(18,215)	(347,724)	(510,994)	-	(1,071,992)
於2023年3月31日	At 31 March 2023	$29,399,784	$8,842,438	$16,037,752	$790,768	$1,445,328	$7,361,670	$865,398	$64,743,138
帳面淨值：	**Net book value:**								
於2023年3月31日	At 31 March 2023	$45,500,216	$7,957,562	$10,727,862	$111,139	$232,391	$3,492,609	$129,482	$68,151,261

7 物業、機器及設備（續）

7 Property, plant and equipment (continued)

		持有作自用的租賃土地權益 Interest in leasehold land held for own use	建築物 Building	租賃物業裝修 Leasehold improvements	辦公室傢具 Office furniture	辦公室設備 Office equipment	電腦設備 Computer equipment	車輛 Motor vehicles	總計 Total
成本：	**Cost:**								
於2021年4月1日	At 1 April 2021	$74,900,000	$16,800,000	$16,990,386	$884,694	$1,913,959	$9,768,886	$994,880	$122,252,805
增添	Additions	–	–	128,850	68,644	112,059	800,542	–	1,110,095
處置	Disposals	–	–	(200)	(64,802)	(51,021)	(828,895)	–	(944,918)
於2022年3月31日	At 31 March 2022	$74,900,000	$16,800,000	$17,119,036	$888,536	$1,974,997	$9,740,533	$994,880	$122,417,982
累計折舊：	**Accumulated depreciation:**								
於2021年4月1日	At 1 April 2021	$26,611,344	$8,002,438	$15,316,653	$768,953	$1,591,344	$6,363,343	$745,446	$59,399,521
年內支出	Charge for the year	1,394,220	420,000	348,557	51,866	131,085	1,071,507	59,976	3,477,211
處置後撥回	Written back on disposals	–	–	(200)	(64,802)	(49,921)	(828,516)	–	(943,439)
於2022年3月31日	At 31 March 2022	$28,005,564	$8,422,438	$15,665,010	$756,017	$1,672,508	$6,606,334	$805,422	$61,933,293
帳面淨值：	**Net book value:**								
於2022年3月31日	At 31 March 2022	$46,894,436	$8,377,562	$1,454,026	$132,519	$302,489	$3,134,199	$189,458	$60,484,689

申訴專員以長期租賃方式持有租賃土地權益。

The Ombudsman's interest in leasehold land is held under long lease.

8 現金及現金等價物

8 Cash and cash equivalents

		2023	2022
銀行現金	Cash at bank	**$ 179,941,924**	$ 22,165,700
庫存現金	Cash in hand	**5,000**	5,000
		$ 179,946,924	$ 22,170,700

9 應付約滿酬金

有關數額是在僱傭合約屆滿時須支付給僱員的約滿酬金。金額為僱員基本薪金的10%至25%（2022年：10%至25%）不等，但扣除僱主的強積金供款。

9 Contract gratuity payable

The amount represents the gratuity payable to staff on expiry of their employment contracts. The amount of gratuity ranges from 10% to 25% (2022: 10% to 25%) of the basic salary less employer's contributions to MPF.

10 稅項

根據《申訴專員條例》附表1A第5(1)條，申訴專員獲豁免繳付根據《稅務條例》徵收的稅項。

10 Taxation

The Ombudsman is exempt from taxation in respect of the Inland Revenue Ordinance in accordance with Schedule 1A Section 5(1) of The Ombudsman Ordinance.

11 承擔

於2023年3月31日計算，按照停車位不可撤銷之營運租賃合約應繳付的最低租賃付款總額如下：

11 Commitments

At 31 March 2023, the total future aggregate minimum lease payments under non-cancellable operating leases in respect of parking spaces are payable as follows:

		2023	2022
於一年內繳付	Within 1 year	**$ 8,400**	$ 8,400

除非在最少一個曆月前以書面通知退租，否則租約仍然有效。

The lease remain in force unless terminated by giving notice in writing of not less than one calendar month.

12 累計資金管理

申訴專員在管理其累計資金時，基本目的是確保申訴專員的財政持續穩健。申訴專員無須承擔外部施加的對累計資金的要求。

12 Management of accumulated funds

The Ombudsman's primary objective when managing its accumulated funds is to safeguard The Ombudsman's ability to continue as a going concern. The Ombudsman is not subject to externally imposed requirements relating to its accumulated funds.

13 金融風險管理及金融工具的公平價值

風險管理由總務及財務組按照申訴專員核准的政策執行。總務及財務組與各營運單位緊密合作，鑑別和評估財務風險。申訴專員所涉及的信貸風險、資金周轉風險、利率風險及貨幣風險如下：

(a) 信貸風險

信貸風險指因交易對手不履行合約義務而對申訴專員造成財務損失的風險。申訴專員的信貸風險主要源自定期存款和現金及現金等價物。申訴專員已訂定信貸政策，並持續監察這方面涉及的信貸風險。

現金存放於信貸評級穩健的金融機構，以盡量減低信貸風險。

信貸風險額上限為財務狀況表內各項金融資產的帳面金額。申訴專員並無提供任何會使其涉及信貸風險的擔保。

(b) 資金周轉風險

申訴專員的政策是定期監察現時及預計的資金周轉需要，以確保維持足夠現金儲備應付短期及較長期的資金周轉需要。

13 Financial risk management and fair values of financial instruments

Risk management is carried out by the General and Finance Section under policies approved by The Ombudsman. The General and Finance Section identifies and evaluates financial risks in close co-operation with the operating units. The Ombudsman's exposure to credit, liquidity, interest rate and currency risks are described below:

(a) Credit risk

Credit risk refers to the risk that a counter party will default on its contractual obligations resulting in a financial loss to The Ombudsman. The Ombudsman's credit risk is primarily attributable to time deposits and cash and cash equivalents. The Ombudsman has a credit policy in place and the exposure to this credit risk is monitored on an ongoing basis.

Cash is deposited with financial institutions with sound credit ratings to minimise credit exposure.

The maximum exposure to credit risk is represented by the carrying amount of each financial asset in the statement of financial position. The Ombudsman does not provide any guarantees which would expose The Ombudsman to credit risk.

(b) Liquidity risk

The Ombudsman's policy is to regularly monitor its current and expected liquidity requirements and to ensure that it maintains sufficient reserves of cash to meet its liquidity requirements in the short and longer term.

13 金融風險管理及金融工具的公平價值（續）

13 Financial risk management and fair values of financial instruments (continued)

(b) 資金周轉風險（續）

下表列載申訴專員的財務負債在報告年度結束時之剩餘合約年期，乃根據未貼現合約現金流及申訴專員可能被要求付款之最早日期編製：

(b) Liquidity risk (continued)

The following table shows the remaining contractual maturities at the end of the reporting period of The Ombudsman's financial liabilities, which are based on contractual undiscounted cash flows and the earliest date The Ombudsman can be required to pay:

	2023 未貼現合約現金流外流 Contractual undiscounted cash outflow				
	一年以下或即時到期 Within 1 year or on demand	**一年以上但兩年以下 More than 1 year but less than 2 years**	**兩年以上但五年以下 More than 2 years but less than 5 years**	**未貼現合約現金流總計 Total contractual undiscounted cash flows**	**帳面金額 Carrying amount**
應付約滿酬金 Contract gratuity payable	**$ 5,902,956**	**$ 5,158,266**	**$ 2,886,747**	**$ 13,947,969**	**$ 13,947,969**
其他應付款項及應計費用 Other payables and accruals	**6,141,710**	**–**	**–**	**6,141,710**	**6,141,710**
	$ 12,044,666	**$ 5,158,266**	**$ 2,886,747**	**$ 20,089,679**	**$ 20,089,679**

	2022 未貼現合約現金流外流 Contractual undiscounted cash outflow				
	一年以下或即時到期 Within 1 year or on demand	一年以上但兩年以下 More than 1 year but less than 2 years	兩年以上但五年以下 More than 2 years but less than 5 years	未貼現合約現金流總計 Total contractual undiscounted cash flows	帳面金額 Carrying amount
應付約滿酬金 Contract gratuity payable	$ 8,996,957	$ 3,525,234	$ 2,178,873	$ 14,701,064	$ 14,701,064
其他應付款項及應計費用 Other payables and accruals	5,928,327	–	–	5,928,327	5,928,327
	$ 14,925,284	$ 3,525,234	$ 2,178,873	$ 20,629,391	$ 20,629,391

13 金融風險管理及金融工具的公平價值（續）

(c) 利率風險

利率風險指金融工具的價值因市場利率調整而浮動的風險。申訴專員所涉及的利率風險只有按市場利率計息的銀行結餘。

敏感度分析

估計假如利率整體上升／下跌100個（2022年：100個）基點，而其他變數均維持不變，則申訴專員的盈餘及累積資金於2023年3月31日便會增加約183,000元（2022年：222,000元）。

以上的敏感度分析，是假定利率變動在報告年度結束當日已出現，並已應用到同日可能導致申訴專員涉及利率風險的金融工具內。100個基點的升跌，是管理層評估該年度結束當日至下一報告年度之內可能出現的合理利率變動而得出的。有關分析所依據的基準與2022年相同。

(d) 貨幣風險

申訴專員的所有交易均以港元計算，故不涉及任何貨幣風險。

13 Financial risk management and fair values of financial instruments (continued)

(c) Interest rate risk

Interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates. The Ombudsman's only exposure to interest rate risk is via its bank balances which bear interest at market rates.

Sensitivity analysis

At 31 March 2023, it is estimated that a general increase/decrease of 100 (2022:100) basis points in interest rates, with all other variables held constant, would have increased The Ombudsman's surplus and accumulated funds by approximately $183,000 (2022: $222,000).

The sensitivity analysis above has been determined assuming that the change in interest rates had occurred at the end of the reporting period and had been applied to the financial instruments which expose The Ombudsman to interest rate risk at that date. The 100 basis points increase or decrease represents The Ombudsman's assessment of a reasonably possible change in interest rates over the period until the next annual reporting period. The analysis is performed on the same basis for 2022.

(d) Currency risk

The Ombudsman has no exposure to currency risk as all of The Ombudsman's transactions are denominated in Hong Kong dollars.

13 金融風險管理及金融工具的公平價值（續）

(e) 公平價值衡量

申訴專員的金融工具以成本或攤銷成本入帳的帳面金額，與其於2023年及2022年3月31日的公平價值並無重大差異。

13 Financial risk management and fair values of financial instruments (continued)

(e) Fair value measurement

The carrying amounts of The Ombudsman's financial instruments carried at cost or amortised cost were not materially different from their fair values at 31 March 2023 and 2022.

14 重大關聯人士交易

涉及主要管理層人員的交易

主要管理層所有成員的酬金已在附註6披露。

14 Material related party transactions

Transactions with key management personnel

Remuneration of all members of key management personnel is disclosed in note 6.

15 截至2023年3月31日止年度已頒布但尚未生效的修訂、新準則及詮釋可能帶來的影響

截至本財務報表刊發日期止，香港會計師公會已頒布多項修訂及一項新準則，但在截至2023年3月31日止年度尚未生效，亦沒有在本財務報表中採納，當中包括以下可能與申訴專員相關的修訂：

15 Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2023

Up to the date of issue of these financial statements, the HKICPA has issued a number of amendments and a new standard, which are not yet effective for the year ended 31 March 2023 and which have not been adopted in these financial statements. These developments include the following which may be relevant to The Ombudsman.

15 截至2023年3月31日止年度已頒布但尚未生效的修訂、新準則及詮釋可能帶來的影響（續）

15 Possible impact of amendments, new standards and interpretations issued but not yet effective for the year ended 31 March 2023 (continued)

	於下列日期或之後開始的會計期間生效 Effective for accounting periods beginning on or after
《香港財務報告準則》第17號：*保險合約* HKFRS 17, *Insurance contracts*	2023年1月1日 1 January 2023
《香港會計準則》第1號之修訂：*財務報表的呈列*及《香港財務報告準則》實務公告第2號之修訂：*作出重要性的判斷：會計政策的披露* Amendments to HKAS 1, *Presentation of financial statements* and HKFRS Practice Statement 2, *Making materiality judgements: Disclosure of accounting policies*	2023年1月1日 1 January 2023
《香港會計準則》第8號之修訂：會計政策、會計估計的變動及錯誤：會計估計的定義 Amendments to HKAS 8, *Accounting policies, changes in accounting estimates and errors: Definition of accounting estimates*	2023年1月1日 1 January 2023
《香港會計準則》第12號之修訂：*所得稅：與單一交易產生的資產和負債有關的遞延稅* Amendments to HKAS 12, *Income Taxes: Deferred tax related to assets and liabilities arising from a single transaction*	2023年1月1日 1 January 2023
《香港會計準則》第1號之修訂：*財務報表的呈列：負債分類為流動或非流動* Amendments to HKAS 1, *Presentation of financial statements: Classification of liabilities as current or non-current*	2024年1月1日 1 January 2024
《香港會計準則》第1號之修訂：*財務報表的呈列：附帶契諾的非流動負債* Amendments to HKAS 1, *Presentation of financial statements: Non-current liabilities with covenants*	2024年1月1日 1 January 2024
《香港財務報告準則》第16號之修訂：*租賃：售後租回的租賃負債* Amendments to HKFRS 16, *Leases: Lease liability in a sale and leaseback*	2024年1月1日 1 January 2024

申訴專員現正評估該等修訂及新準則於初次應用期間所造成的影響。至目前為止，申訴專員認為採納該等修訂及新準則不大可能會對本財務報表構成重大影響。

The Ombudsman is in the process of making an assessment of what the impact of these developments is expected to be in the period of initial application. So far The Ombudsman has concluded that the adoption of them is unlikely to have a significant impact on the financial statements.

投訴人約章
Complainants Charter

本署竭誠為市民提供優質服務。為充分履行職務，本署與投訴人訂立以下約章：

We endeavour to provide a high standard of service to the public. In fully discharging our duties, this Office has drawn up the following Charter:

本署的承諾

- 專業、公正及有效率地處理投訴
- 適時知會投訴人查訊的進度及結果
- 清楚解釋本署的決定
- 保障投訴人的私隱
- 對市民有禮及尊重

Our Commitment

- Handle complaints in a professional, impartial and efficient manner
- Keep complainants informed of the progress and outcome of our inquiries
- Explain our decisions clearly
- Protect complainants' privacy
- Treat the public with courtesy and respect

投訴人若不滿意查訊結果，可來函本署及提出理據要求覆檢個案。若對個別職員或服務有任何意見，可向本署總行政主任提出。本署會秉持專業公正的精神跟進個案。

Complainants not satisfied with our findings may write to this Office and state the grounds for a review of their cases. Any views on individual staff or our services may be directed to the Chief Manager of this Office. We will take follow-up action with professionalism and fairness.

投訴人的責任

- 清楚說明投訴事項
- 適時提供真確的資料（包括事件經過、可供核實其身份及確定聯絡方法的所需資料等）
- 配合查訊工作
- 以合理的態度提出投訴
- 對職員有禮及尊重

Complainants' Responsibilities

- State clearly the issues of complaint
- Provide true and accurate information (including an account of events, the required information for verification of their identity and determination of their traceability, etc.) in a timely manner
- Cooperate in our inquiries
- Lodge complaints in a reasonable manner
- Treat the staff with courtesy and respect

若投訴人未能配合，查訊進度及／或結果可能會受影響。屆時本署會視乎實際情況，決定採取適當措施，包括根據所獲得的證據作出判斷，或終止查訊等。

If complainants are not cooperative, the progress and/or outcome of our inquiries may be affected. In such circumstances, we will take proper actions as appropriate, such as making our decision on the basis of available evidence or terminating the inquiry.

香港申訴專員公署
Office of The Ombudsman, Hong Kong

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查詢電郵 Enquiry Email Address	enquiry@ombudsman.hk
投訴電郵 Complaint Email Address	complaints@ombudsman.hk

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